

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 1312

6
7 S.P. 484

In Senate, April 16, 1985

8 Referred to the Committee on Business and Commerce. Sent down for
9 concurrence and ordered printed.

10 JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Andrews of Cumberland.

11 Cosponsored by Representative Rydell of Brunswick, Representative
Brannigan of Portland and Representative Murray of Bangor.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FIVE
16

17 AN ACT to Prohibit Discrimination Against
18 Handicapped People in Insurance.
19

20 Be it enacted by the People of the State of Maine as
21 follows:

22 24-A MRSA §2159-A, first ¶, as amended by PL
23 1979, c. 663, §142, is further amended to read:

24 No insurance company authorized to transact busi-
25 ness in this State ~~shall~~ may cancel, reduce liability
26 limits of, increase the premiums of or refuse to is-
27 sue or to renew an insurance policy of any kind that
28 such company sells for the sole reason that the in-
29 sured or the applicant for insurance is blind, as de-
30 fined in Title 22, section 3505, subsection 1; has a
31 physical or mental handicap, as defined in Title 5,
32 section 4553, subsection 7-A; or is deaf or develop-
33 mentally disabled, as defined in this section. Noth-
34 ing in this section ~~shall~~ may be deemed to prohibit
35 any such insurer from charging an additional premium
36 or refusing to issue such insurance if the general

1 health of such person, including, where applicable,
2 the cause of blindness, handicap, deafness, develop-
3 mental disability, or other material factor in the
4 issuance of insurance warrants such additional premi-
5 um or refusal to issue. Any such insurer may exclude
6 from policies covering persons who are blind, handi-
7 capped, deaf, or developmentally disabled the payment
8 of benefits arising from losses that would not have
9 occurred except for the fact that such person is
10 blind, handicapped, deaf or developmentally disabled
11 respectively.

12

STATEMENT OF FACT

13 Under current law, an insurance company may not
14 discriminate against an insured or an applicant for
15 insurance for the sole reason of the person's blind-
16 ness, deafness or developmental disability. This
17 bill extends the same protection to handicapped indi-
18 viduals.

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