

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1991

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Legislative Document

No. 1821

H.P. 1253

House of Representatives, May 8, 1991

Reference to the Committee on Banking and Insurance suggested and ordered printed.

A handwritten signature in cursive script, reading "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative GARLAND of Bangor.

Cosponsored by Senator BRAWN of Knox and Senator KANY of Kennebec.

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STATE OF MAINE

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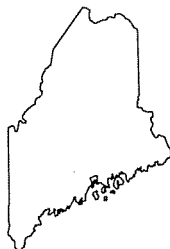
IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY-ONE

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**An Act to Amend the Laws Concerning Continuity of Individual Health  
Insurance.**

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(EMERGENCY)



Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, under the provisions of Public Law 1989, chapter 867, individual health insurance policies issued prior to the effective date of the law become subject to the law if renewed; and

Whereas, this situation could potentially leave many Maine residents uninsured; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. PL 1989, c. 867, §10, 3rd sentence is amended to read:

Title 24, section 2350 and Title 24-A, section 2850 apply to all policies and contracts executed, delivered, or issued for delivery, ~~or renewed~~ in this State on or after December 1, 1990.

Sec. 2. Retroactivity. This Act applies retroactively to December 1, 1990.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

#### STATEMENT OF FACT

This bill amends Public Law 1989, chapter 867, "An Act to Ensure Continuity of Health Insurance Coverage." As enacted, the portion of the law that relates to individual health insurance applies not only to policies issued after December 1, 1990, but to policies issued at any time prior to that date and subsequently renewed. Under the renewal provisions of many policies, insurers can refuse to renew the policy, but only if they do not renew all policies in the State issued on that form. This could potentially leave many Maine residents uninsured and unable to obtain comparable coverage.