

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

L.D. 1693

DATE: 5-4-99

(Filing No. H-402)

BANKING AND INSURANCE

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1182, L.D. 1693, Bill, "An Act to Clarify the Regulation of Viatical Settlement Contracts When Sold as Investments"

Amend the bill by inserting after the title and before the enacting clause the following:

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

Whereas, viatical settlement contracts are currently being sold as investments in this State; and

Whereas, the regulation of viatical settlement contracts as securities under the Revised Maine Securities Act needs clarification for the protection of Maine consumers and their investments; 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, '

Further amend the bill in section 10 in that part designated "~~§10607-A.~~" in subsection 1 in the 6th line (page 4, line 51 in L.D.) by striking out the following: "3" and inserting in its place the following: '30'

COMMITTEE AMENDMENT "A" to H.P. 1182, L.D. 1693

Further amend the bill by inserting after section 10 the following:

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

Further amend the bill by inserting at the end before the summary the following:

'FISCAL NOTE

The Bureau of Banking's Securities Division within the Department of Professional and Financial Regulation will incur some minor additional costs to adopt rules. These costs can be absorbed within the division's existing budgeted resources.'

SUMMARY

This amendment provides investors in viatical settlement contracts a 30-day right of rescission.

The amendment also adds an emergency preamble, emergency clause and fiscal note to the bill.