

MAINE STATE LEGISLATURE

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R. of S.

L.D. 1777

DATE: *4-29-99*

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MINORITY
BANKING AND INSURANCE

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

COMMITTEE AMENDMENT "*B*" to H.P. 1248, L.D. 1777, Bill, "An Act to Update the Laws Concerning Prearranged Funerals"

Amend the bill in section 2 in that part designated "§1401." in subsection 1 in paragraph B in the 5th line (page 2, line 8 in L.D.) by striking out the following: "only in" and inserting in its place the following: 'in or used to purchase only'

Further amend the bill in section 2 in that part designated "§1401." in subsection 1 in paragraph B by striking out all of subparagraph (4) (page 2, line 20 in L.D.) and inserting in its place the following:

'(4) Permanent life insurance, other than variable life insurance and annuities, from an insurer authorized to transact insurance in this State, subject to the provisions of Title 24-A, chapter 27. A payee or mortuary trustee may not receive any commission, fee or other consideration from an insurer in connection with the procurement or purchase of insurance permitted by this subparagraph.'

Further amend the bill in section 2 in that part designated "§1401." in subsection 1 in paragraph D in subparagraph (3) in the first line (page 3, line 7 in L.D.) by striking out the following: "actual financial and tax"

Further amend the bill in section 2 in that part designated "§1401." in subsection 1 in paragraph D in the 4th line from the end (page 3, line 13 in L.D.) by striking out the following: "a member of the board" and inserting in its place the following: 'the commissioner's designee'

2 Further amend the bill in section 2 in that part designated
3 "~~\$1401.~~" in subsection 2 in paragraph D in the first line (page
4 3, line 37 in L.D.) by striking out the following: "Board
5 inspection" and inserting in its place the following:
6 'Inspection'

8 Further amend the bill by inserting after section 3 the
9 following:

10 'Sec. 4. Allocation. The following funds are allocated from
11 Other Special Revenue funds to carry out the purposes of this Act.

12
13 1999-00

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15 **PROFESSIONAL AND FINANCIAL REGULATION,**
16 **DEPARTMENT OF**

17
18 **Office of Licensing and Registration**
19

20 All Other \$1,500

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22 Provides funds for the costs associated with
23 adopting rules on behalf of the State Board
24 of Funeral Service.'

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

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29 **FISCAL NOTE**

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31 1999-00

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33 **APPROPRIATIONS/ALLOCATIONS**

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35 Other Funds \$1,500

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37 This bill includes an Other Special Revenue funds allocation
38 of \$1,500 in fiscal year 1999-00 to the Office of Licensing and
39 Registration within the Department of Professional and Financial
40 Regulation for the costs of adopting rules on behalf of the State
41 Board of Funeral Service.'

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45 **SUMMARY**

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47 This amendment is the minority report of the committee. It
48 differs from the majority report because it allows fees to be
49 charged against mortuary trusts for the administration of the
50

COMMITTEE AMENDMENT "b" to H.P. 1248, L.D. 1777

2 mortuary trust account. The bill limits the fees to be charged to
only those fees for the actual financial and tax administration
4 of the trust account. Like the majority report, the amendment
qualifies the type of insurance that may be purchased with money
in a mortuary trust account and replaces board members with a
6 designee of the Commissioner of Professional and Financial
Regulation on the list of persons authorized to inspect
8 prearranged funeral account records.

10 The amendment also adds an allocation section and a fiscal
note to the bill.