

# MAINE STATE LEGISLATURE

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# 122nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2005

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Legislative Document

No. 909

H.P. 628

House of Representatives, February 22, 2005

### **An Act To Help Home Day Care Providers Obtain Homeowners and Liability Insurance**

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Reference to the Committee on Insurance and Financial Services suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative DUPREY of Hampden.  
Cosponsored by Senator PLOWMAN of Penobscot and  
Representatives: GLYNN of South Portland, PELLETIER-SIMPSON of Auburn, VAUGHAN  
of Durham.

2  
3 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 22 MRSA §8301-A, sub-§3**, as enacted by PL 1997, c.  
494, §8 and affected by §15, is amended to read:

6 **3. Home day care provider certification.** A home day care  
7 provider shall pay the certification fee required under section  
8 8303-A. A home day care provider must be certified under this  
9 chapter and shall comply with the rules adopted by the  
10 commissioner under section 8302-A and the fire safety  
11 requirements of section 8304-A. A home day care provider must  
12 carry liability insurance that covers the activity of providing  
13 home day care.

14 **Sec. 2. 24-A MRSA §429** is enacted to read:

16 **§429. Home day care providers**

18 An insurer licensed in the State that provides property or  
19 casualty insurance may not cancel or deny the insurance or charge  
20 a rate more than 50% higher than the rate to insure a home day  
21 care provider certified under Title 22, section 8301-A,  
22 subsection 3 than the insurer charges other homeowners without  
23 reasonable justification.

24  
26 **SUMMARY**

28 This bill requires reasonable justification for an insurer  
29 to cancel or deny insurance or charge a rate 50% higher than that  
30 of a homeowner for property or casualty insurance to a home day  
31 care provider. This bill also requires home day care providers  
32 to carry liability insurance.  
34