

# MAINE STATE LEGISLATURE

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H. of S.

L.D. 1734

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DATE: 2/14/6

(Filing No. H- 758)

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**INSURANCE AND FINANCIAL SERVICES**

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

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
122ND LEGISLATURE  
SECOND REGULAR SESSION**

18  
20 COMMITTEE AMENDMENT "A" to H.P. 1242, L.D. 1734, Bill, "An  
Act To Increase Accessibility to Health Insurance"

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

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

30 Whereas, persons who have legally immigrated to Maine are  
being denied access to private health insurance; and

32 Whereas, the definition of "legally domiciled" in current  
34 insurance law needs to be broadened to allow persons who have  
legally immigrated to Maine and reside in Maine to have access to  
individual health insurance; and

36  
38 Whereas, this legislation will expand the definitions in the  
insurance law so that persons who have legally immigrated will  
now be eligible for individual health insurance; and

40  
42 Whereas, in the judgment of the Legislature, these facts  
create an emergency within the meaning of the Constitution of  
44 Maine and require the following legislation as immediately  
necessary for the preservation of the public peace, health and  
safety; now, therefore, '

**COMMITTEE AMENDMENT**

2 Further amend the bill by striking out everything after the  
enacting clause and before the summary and inserting in its place  
4 the following:

6 'Sec. 1. 24-A MRSA §2736-C, sub-§1, ¶C-1, as amended by PL  
1999, c. 256, Pt. C, §1, is repealed and the following enacted in  
8 its place:

10 C-1. "Legally domiciled" means a person who lives in this  
State and who satisfies the criteria contained in 2 of the  
12 following subparagraphs.

14 (1) The person has a motor vehicle operator's license  
or nondriver identification card from this State.

16 (2) The person has a valid passport or visa and is  
18 lawfully admitted to the United States.

20 (3) The person is registered to vote in this State.

22 (4) The person has a permanent dwelling place in this  
24 State.

26 (5) The person submits a written sworn affidavit  
declaring that person's intent to reside in this State.

28 (6) The person files an income tax return for this  
30 State that declares the person is a Maine resident.

32 A person may establish that that person is legally domiciled  
in this State by providing evidence of other relevant  
34 criteria associated with residency. A child is legally  
domiciled in this State if at least one of the child's  
36 parents or the child's legal guardian is legally domiciled  
in this State. A person with a developmental or other  
38 disability that prevents that person from obtaining a motor  
vehicle operator's license, registering to vote or filing an  
40 income tax return is legally domiciled in this State by  
living in this State.

42 **Emergency clause.** In view of the emergency cited in the  
preamble, this Act takes effect when approved.'  
44

46 **SUMMARY**

48 This amendment replaces the bill. The amendment amends the  
definition of "legally domiciled" so that a person is required to  
50 satisfy 2 of 6 criteria before becoming eligible to purchase

COMMITTEE AMENDMENT "A" to H.P. 1242, L.D. 1734

2 individual health insurance coverage. The amendment also expands  
the criteria for eligibility to purchase health insurance  
4 coverage to include a valid passport or visa, a sworn affidavit  
declaring a person's intent to reside in this State and a state  
identification card in lieu of a driver's license.

6  
8 The amendment also adds an emergency preamble and emergency  
clause.