

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**  
**ONE HUNDRED AND TWENTIETH LEGISLATURE**  
**FIRST REGULAR SESSION**  
**December 6, 2000 to June 22, 2001**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 21, 2001**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**2001**

**CHAPTER 78**

**H.P. 397 - L.D. 518**

**An Act to Promote Affordable Housing for the Elderly**

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

**Sec. 1. 30-A MRSA §5726, sub-§§11 and 12,** as amended by PL 1989, c. 6 and c. 9, §2 and c. 104, Pt. C, §§8 and 10, are further amended to read:

**11. Relocation assistance.** Provide funds for relocation assistance services and payments to individuals, families and businesses displaced as a result of the acquisition of real property for a public purpose; ~~and~~

**12. District Court.** Construct, equip and furnish a district courthouse within the municipality. The municipality may negotiate a lease with the Chief Judge of the District Court for the use of such a courthouse;

**Sec. 2. 30-A MRSA §5726, sub-§§13 and 14** are enacted to read:

**13. Elderly housing.** Provide municipally owned rental housing for the elderly; and

**14. Affordable housing.** Facilitate affordable housing.

See title page for effective date.

**CHAPTER 79**

**H.P. 323 - L.D. 413**

**An Act to Amend the Definition of "Health Insurance"**

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

**Whereas,** the statutory definition of "health insurance" in the Maine Insurance Code has been broadly interpreted to include limited benefit insurance products, such as accidental injury, hospital indemnity, specified disease, disability income, long-term care and Medicare supplement insurance; and

**Whereas,** the current practice of the Legislature is to exempt certain limited benefit insurance products from the application of legislation requiring mandated health insurance benefits; and

**Whereas,** this legislation would exempt these limited benefit insurance products from any enacted laws mandating medical coverage or benefits and eliminate the need to include an exemption in all laws mandating health insurance benefits; 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. 24-A MRSA §704,** as amended by PL 1983, c. 801, §1, is repealed and the following enacted in its place:

**§704. "Health insurance" defined**

**1. Health insurance.** For purposes of this Title, except as provided in subsection 2, "health insurance" means insurance of human beings against bodily injury, disablement or death by accident or accidental means, or the expense thereof, or against disablement or expense resulting from sickness, and every insurance appertaining thereto, including provision for the mental and emotional welfare of human beings by defraying the costs of legal services only to the extent provided for in chapter 38.

**2. Exceptions.** As used in this Title and Title 24 in any law enacted after the effective date of this subsection that mandates medical benefits or coverage in individual or group health insurance policies under chapter 33 or chapter 35 for certain specific health services or diseases or certain providers of health care services or that mandates rights and obligations under chapter 56-A, unless the context otherwise indicates, the use of "health insurance" and related terms such as "accident and health insurance," "accident and sickness insurance," "carrier," "health," "health benefit plan," "health care," "health insurer" or "insurer" does not include, unless specifically provided otherwise in the law, the following types of insurance or any combination of those types of insurance: accidental injury, specified disease, hospital indemnity, dental, vision, disability income, long-term care, Medicare supplement or other limited benefit health insurance.

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

Effective May 2, 2001.