

# 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 electronic originals  
(may include minor formatting differences from printed original)

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 1, 2010 to June 29, 2011**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 28, 2011**

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

---

---

**Augusta, Maine**  
**2011**

impair the competitive position of the carrier or provider submitting the information and would make available information not otherwise publicly available.

D. A carrier may not discriminate or retaliate against a provider for filing or opposing an application for a waiver under this subsection.

E. A provider may not discriminate or retaliate against a carrier for filing or opposing an application for a waiver under this subsection.

F. For the purposes of this subsection, the factors the superintendent may consider in determining whether to grant a waiver based on a finding that the inclusion of a most favored nation clause as described in paragraph A is not anticompetitive include, but are not limited to:

- (1) Any reduction or limit on competition among carriers or providers;
- (2) The impact on quality and availability of health care services, including the geographic distribution of providers;
- (3) The size of the provider and the type of any specialty;
- (4) The market share of the carrier and the provider;
- (5) The impact on the price and stability of health insurance and health care services to consumers; and
- (6) The impact on reimbursement rates in the provider marketplace.

**Sec. 2. Application.** This Act applies to any contract executed or renewed on or after January 1, 2012.

See title page for effective date.

---

---

**CHAPTER 452**

**H.P. 1185 - L.D. 1587**

**An Act To Provide Further Improvements to Maine's Health Insurance Law**

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

**Sec. 1. 24-A MRSA §3957, sub-§2,** as enacted by PL 2011, c. 90, Pt. B, §8, is amended to read:

**2. Maximum assessment.** The board shall assess each insurer an amount not to exceed \$4 per month per covered person enrolled in medical insurance insured, reinsured or administered by the insurer. An insurer may not be assessed on policies or con-

tracts insuring federal or state employees except for policies or contracts insuring Legislators and their dependents. For policies or contracts insuring Legislators and their dependents, Legislators shall pay the amount of the assessment to the insurer.

**Sec. 2. 24-A MRSA §3957, sub-§5, ¶D** is enacted to read:

D. An insurer may not be assessed on policies or contracts insuring federal or state employees, except for policies or contracts insuring Legislators and their dependents. Any assessment required under this subsection on policies or contracts insuring Legislators and their dependents must be paid as provided in subsection 2.

**Sec. 3. Payroll deduction.** In consultation with the Legislative Council and the insurer or 3rd-party administrator for the group health plan provided in accordance with the Maine Revised Statutes, Title 5, section 285, the State shall collect any assessment required to be paid by Legislators pursuant to Title 24-A, section 6957, subsection 2 or subsection 5 through payroll deduction.

See title page for effective date.

---

---

**CHAPTER 453**

**S.P. 235 - L.D. 742**

**An Act To Amend the Maine Historic Preservation Tax Credit**

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

**Sec. 1. 27 MRSA §511, sub-§5, ¶B,** as enacted by PL 2007, c. 539, Pt. WW, §1, is amended to read:

B. By January 15, 2013, the Maine Historic Preservation Commission shall review the tax credit provided under Title 36, section 5219-BB and shall make recommendations to the joint standing committee of the Legislature having jurisdiction over taxation matters regarding specific proposals for funding the credit. By January 15, 2013 2015 and every 2 years thereafter, the Maine Historic Preservation Commission shall analyze the use of tax credits provided under Title 36, section 5219-BB as an incentive for rehabilitation of historic structures and economic development, analyze tax and other revenues generated by the rehabilitation to determine in relation to the cost of the credit if they exceed the costs of the credit and report the results of its analysis to the joint standing committee of the Legislature having jurisdiction over taxation matters with recommendations as to whether the credits under Title 36, section