

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 scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE OF MAINE
ONE HUNDRED AND TWELFTH LEGISLATURE
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE ON
BUSINESS AND COMMERCE
BILL SUMMARY



MAY 1986

PREPARED BY:

Jeri Gautschi, Legal Analyst

OFFICE OF POLICY AND LEGAL ANALYSIS
STATE HOUSE, STATION 13 AUGUSTA, MAINE 04333
(207) 289-1670



HELEN T. GINDER, DIRECTOR
HAVEN WHITESIDE, ASST. DIRECTOR
GILBERT W. BREWER
DAVID C. ELLIOTT
MARTHA E. FREEMAN
JERI B. GAUTSCHI
CHRISTOS GIANOPOULOS
WILLIAM T. GLIDDEN, JR.

STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL.: (207) 289-1670

JULIE S. JONES
JOHN B. KNOX
EDWARD POTTER
MARGARET J. REINSCH
LARS H. RYDELL
JOHN R. SELSER
ANDREA L. COLNES, Res. Asst.

ONE HUNDRED AND TWELFTH LEGISLATURE
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
MAY 1986

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature, covering the Second Regular Session of the 112th Legislature. The summaries are arranged by LD number under each committee.

All Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor if it is a floor amendment or the designation "CA" if it is a committee amendment. If the amendment was adopted in the House, the letter H appears after the sponsor. If it was adopted in the Senate, the letter S appears.

Final action for each bill is listed to the right of the title. If final House action and Senate action differ, both are listed.

Key to Committee Reports and Floor Action:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-AM	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

The new draft, LD 2226, deletes the provision for a private legal remedy. The new draft also defines "long-term care policy" and includes this type of policy in all the provisions of the bill. Senate Amendment "A" (S-427) added language to the definition of "long-term health care policy" that the Committee had approved, but which was inadvertently omitted.

LD AN ACT TO PROHIBIT MANDATORY RETROSPECTIVE PL 1985
2251 RATING IN WORKERS' COMPENSATION INSURANCE c. 719
POLICIES

Sponsor: BRANNIGAN, Murray, Willey
Committee Report: OTP, ONTP

SUMMARY: The bill permits retrospective rating plans, but makes these plans optional. The bill is contrary to a ruling by the Bureau of Insurance which permits insurance carriers to unilaterally impose retrospective rating plans on certain employers. Prior to the ruling, retrospective rating plans were voluntary.

LD AN ACT CONCERNING SELF-FUNDED POOLS AMONG PL 1985
2263 PUBLIC AGENCIES FOR TORT AND PROPERTY c. 713
LIABILITY

Sponsor: PRAY, Brannigan, Murphy, T., Kerry
Committee Report: New Draft of LD 1708

S-447 TRAFTON H S

SUMMARY: The original bill, LD 1708, allows any 2 or more political subdivisions to form a pool to self-insure. Such pools will not be regulated as insurance companies. The new draft adds audit requirements and limits pooling to 10 or more municipalities or school administrative districts or an organization representing 10 or more political subdivisions. A Senate Amendment (S-447) was added to maintain competition between commercial insurers and self-insurance pools by including commercial insurers in a section providing that excess insurance or reinsurance bought to meet obligations will not increase liability limits imposed by the Maine Tort Claims Act.

LD AN ACT TO ESTABLISH A FLUCTUATING CREDIT CARD ONTP
2264 CHARGE RELATIVE TO THE PRIME RATE

Sponsor: JOSEPH, Martin, J., Pray, Rolde
Committee Report: ONTP

