

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
115TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
BANKING AND INSURANCE

MAY 1992

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE  
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE  
BILL SUMMARIES**

**MAY 1992**

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. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action on each bill is listed to the far right of the title. Various types of final action are abbreviated as follows:

PUBLIC XXX	Chapter # of enacted Public Law
P&S XXX	Chapter # of enacted Private & Special Law
RESOLVE XXX	Chapter # of enacted Resolve
CON RES XXX	Chapter # of Constitutional Resolution passed by both Houses
EMERGENCY	Enacted law takes effect sooner than 90 days
CARRIED OVER	Bill carried over to Special Session
ONTP	Ought Not to Pass report accepted
LVWD	Leave to Withdraw report accepted
INDEF PP	Bill Indefinitely Postponed
FAILED EMERGENCY ENACTMENT	Emergency bill failed to get 2/3 vote
DIED BETWEEN BODIES	House and Senate disagree; bill died
CONF CMTE UNABLE TO AGREE	Committee of Conference formed but unable to agree
VETO SUSTAINED	Legislature filed to override Governor's Veto
UNSIGNED	Not signed by Governor within 10 days
DIED ON ADJOURNMENT	Action incomplete when session ended; bill died

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin, especially Laurette Knox who coordinated preparation of the overall document.

If you have any suggestions or comments on these summaries, please let us know.

**LD 2119**      **An Act Relating to Returned Check Charges**

ONTP

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
ST. ONGE	ONTP	MAJ
MITCHELL E	OTP-AM	MIN
BUSTIN		

**SUMMARY**

This bill regulates the assessment of a charge against a depositor when a check deposited by that depositor but issued by another party is returned for insufficient funds, by limiting that charge to \$2 per check and prohibiting it entirely if the financial institution in which it is deposited is the same as the one on which it is drawn. This provision is substantially the same as the former Maine Revised Statutes, Title 9-B, section 241, subsection 6, which was repealed by its own sunset date of July 1, 1991.

**LD 2125**      **An Act to Require Insurance Companies Doing Business in  
Maine to Waive All Antitrust Immunities**

ONTP

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
JOSEPH	ONTP	
KANY		

**SUMMARY**

This bill requires that, as a condition of obtaining authority to do business in this State, insurers must waive their immunity from federal antitrust laws. Insurers that are currently licensed must file a waiver by January 1, 1993.

**LD 2129**      **An Act to Amend the Maine Insurance Code**

PUBLIC 709

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
RYDELL	OTP-AM	H-988
CLARK N		
FOSS		
CAHILL P		

**SUMMARY**

This bill expands the range of affordable health care coverage options available to employers and employees in the State and promotes effective peer review for health maintenance organizations.

This bill allows a health maintenance organization to institute a point-of-service option allowing the consumer to choose either the comprehensive benefits of a health maintenance organization or care from a provider of choice with traditional indemnity benefits.

This bill also allows employers to obtain more reasonable rates for health insurance coverage by raising the threshold of the dual choice requirement from 25 employees to 90 employees.

The bill, which is based on the Health Maintenance Organization Model Act, ensures high quality care provided by health maintenance organizations by promoting participation of physicians in conducting peer review. Specifically, the bill extends to peer review organizations of physicians providing care in health maintenance organizations the same confidentiality and protection from discovery currently applicable to peer review organizations in other settings including hospitals and other health care facilities.