

# 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  
117TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
BANKING AND INSURANCE

AUGUST 1995

**Staff:**

*Colleen M. McCarthy, Legislative Analyst*

*Office of Policy and Legal Analysis  
Room 101/107/135, 13 State House Station  
Augusta, ME 04333  
(207)287-1670*

**MEMBERS:**

*\*Sen. I. Joel Abromson  
Sen. Mary E. Small  
Sen. Dale McCormick*

*\*Rep. Marc J. Vigue  
Rep. Gail M. Chase  
Rep. Gordon P. Gates  
Rep. Norman R. Paul  
Rep. Michael V. Saxl  
Rep. Richard H. Campbell  
Rep. William Guerrette  
Rep. Sumner A. Jones, Jr.  
Rep. Lisa Lumbra  
Rep. Arthur F. Mayo, III*

*\*Denotes Chair*



**Maine State Legislature  
OFFICE OF POLICY AND LEGAL ANALYSIS**

State House Station 13, Augusta, Maine 04333  
Telephone (207) 287-1670  
Telecopier (207) 287-1275

**ONE HUNDRED AND SEVENTEENTH LEGISLATURE  
FIRST REGULAR SESSION**

**SUMMARY OF LEGISLATION BEFORE  
THE JOINT STANDING COMMITTEES**

**AUGUST 1995**

This document is a compilation of the bill summaries prepared by this office for the Joint Standing 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. The publication, History and Final Disposition of Legislative Documents, is helpful in determining to which committee any particular bill was referred.

In this document, the committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. All adopted amendments are listed, by paper number, together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various categories of final action are abbreviated as follows:

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

These summaries were prepared by the analyst or analysts assigned to the committee. If more detailed information is needed on a bill, contact the committee analyst.

5581LHS

## Joint Standing Committee on Banking and Insurance

**LD 49**

### **An Act to Create Additional Employment Opportunities in the Financial Services Industry by Allowing Financial Organizations to Charge Additional Finance Charges**

PUBLIC 137

**SPONSOR(S)**

MCCORMICK  
KIEFFER  
DONNELLY

**COMMITTEE REPORT**

OTP-AM

**AMENDMENTS ADOPTED**

S-70

**SUMMARY**

This bill repeals the provision fixing maximum finance charges on open-end credit plans related to credit cards and consumer credit transactions involving the use of credit cards. The bill authorizes additional charges for open-end credit plans by agreement between a consumer and a credit card lender. The authorized charges include periodic charges, transaction charges, minimum charges during periods of outstanding indebtedness, processing fees, reimbursements for expenses, late or delinquency fees, return-payment charges, documentary evidence charges, stop-payment fees, over-the-limit charges and automated teller machine charges. The bill also provides that a finance charge may be imposed when there is an outstanding balance from the prior billing cycle at the beginning of a billing cycle.

COMMITTEE AMENDMENT "A" (S-70) adds an emergency preamble and emergency clause. The amendment corrects an omission in the original bill. It strikes language referring to fees associated with the costs of securing credit with real estate and clarifies that the provisions of the bill do not apply to open-end credit plans secured by a consumer's principal dwelling or second home. The extent of attorneys' fees that may be collected in any collection action against a consumer is also clarified. The amendment adds a fiscal note.

**LD 68**

### **An Act to Increase Access to and Affordability of Mental Health and Substance Abuse Treatment Services by Providing Mandatory Reimbursement to Counseling Professionals who are Licensed to Assess and Treat Intrapersonal and Interpersonal Problems**

CARRIED OVER

**SPONSOR(S)**

BUSTIN

**COMMITTEE REPORT**

OTP-AM MAJ  
ONTP

**AMENDMENTS ADOPTED**

S-211

**SUMMARY**

This bill provides mandatory reimbursement to counseling professionals who are licensed to assess and treat intrapersonal and interpersonal problems. Other counselors whose licensed scope of practice does not include assessment and treatment would not be subject to mandatory insurance reimbursement under this bill. Licensed counselors whose scope of practice meet the requirements of the bill include clinical professional counselors, marriage and family therapists and pastoral counselors. The provisions apply to all policies and contracts under the Maine Revised Statutes, Title 24, and all group policies and contracts under the Maine Revised Statutes, Title 24-A.

COMMITTEE AMENDMENT "A" (S-211) is the majority report of the committee and extends the mandatory reimbursement for mental health services provided by counseling professionals licensed in the State to assess and treat intrapersonal and interpersonal problems to individual health insurance policies and contracts under the Maine Revised Statutes, Title 24-A. The amendment specifies that the bill applies to policies and contracts executed on or after January 1, 1996, and that the reimbursement of mental health providers is mandatory until December 31, 1998. The amendment also adds a fiscal note.

This bill was placed on the Special Appropriations Table and carried over until the Second Regular Session by the Joint Standing Committee on Appropriations and Financial Affairs.

**LD 81      An Act to Change Reimbursement Policy on Mental Health Services      ONTP**

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

**SUMMARY**

This bill changes insurance reimbursement for mental health services to allow reimbursement for licensed clinical professional counselors on the same basis as qualified psychologists, clinical social workers and psychiatric and mental health nurses. The bill deletes 2 out-of-date sentences in current law.

See LD 68.

**LD 115      An Act to Require Insurance Companies to Provide Loss Information to Insured Groups      PUBLIC 71**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
CAMPBELL	OTP-AM	H-91

**SUMMARY**

This bill requires insurance companies and health maintenance organizations (HMO's) to provide loss information to group policyholders upon request. Currently, insurance companies and HMO's are not required by law to disclose loss information, although some may provide this information to groups of more than 50 persons.

COMMITTEE AMENDMENT "A" (H-91) replaces the original bill. The amendment clarifies the definition of "loss information" by requiring the aggregate claims experience for the group, rather than claim-specific information contrary to statutory confidentiality provisions. It requires insurers to provide loss information to insured groups upon written request twice over the duration of the group policy or contract: once, after the policy has been in effect for 6 months; and again, 60 days prior to renewal of the policy. Insurers are not required to provide loss information to groups with fewer than 25 members.

**LD 139      An Act to Allow the Maine Human Rights Commission to Request the Cooperation of the Bureau of Consumer Credit Protection in Enforcing the Fair Credit Extension Laws      PUBLIC 17**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
TREAT RAND	OTP-AM	H-41

**SUMMARY**

This bill requires the Superintendent of Consumer Credit Protection to cooperate with the Maine Human Rights Commission in enforcing the fair credit provisions of the Maine Human Rights Act

COMMITTEE AMENDMENT "A" (H-41) adds a fiscal note to the bill.