

MAINE STATE LEGISLATURE

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**STATE OF MAINE
118TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
BANKING AND INSURANCE**

JULY 1997

MEMBERS:

Sen. Lloyd P. LaFountain III, Chair

Sen. Robert E. Murray, Jr.

Sen. I. Joel Abromson

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Rep. Julie Winn

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Rep. Joseph Bruno

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ONE HUNDRED EIGHTEENTH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS

Summary Of Legislation Before The Joint Standing Committees
August 1997

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

CARRIED OVER.....	Bill carried over to Second Regular Session
CON RES XXX.....	Chapter # of Constitutional Resolution passed by both Houses
CONF CMTE UNABLE TO AGREE.....	Committee of Conference unable to agree; bill died
DIED BETWEEN BODIES.....	House & Senate disagree; bill died
DIED IN CONCURRENCE.....	One body accepts ONTP report; the other indefinitely postpones the bill
DIED ON ADJOURNMENT.....	Action incomplete when session ended; bill died
EMERGENCY.....	Enacted law takes effect sooner than 90 days
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE.....	Emergency bill failed to get 2/3 vote
FAILED ENACTMENT/FINAL PASSAGE.....	Bill failed to get majority vote
FAILED MANDATE ENACTMENT.....	Bill imposing local mandate failed to get 2/3 vote
INDEF PP.....	Bill Indefinitely Postponed
ONT P.....	Ought Not To Pass report accepted
OTP ND.....	Committee report Ought To Pass In New Draft
OTP ND/NT.....	Committee report Ought To Pass In New Draft/New Title
P&S XXX.....	Chapter # of enacted Private & Special Law
PUBLIC XXX.....	Chapter # of enacted Public Law
RESOLVE XXX.....	Chapter # of finally passed Resolve
UNSIGNED.....	Bill held by Governor
VETO SUSTAINED.....	Legislature failed to override Governor's Veto

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

David E. Boulter, Director
Offices Located in the State House, Rooms 101/107/135

LD 911**An Act to Define the Diagnosis of Pregnancy for the Purposes of Insurance Coverage****ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAYO GOLDTHWAIT	ONTP	

LD 911 proposed to define the existence of a pregnancy as the time when a women misses her last normal menstrual period for the purposes of determining when pregnancy exists as it relates to the application of a preexisting condition exclusion under an insurance policy. Under current practice, insurers define the existence of a pregnancy as the date of conception. However, pregnancy is medically diagnosed at the time a woman presents symptoms, namely a missed menstrual period. This bill proposed to define pregnancy as existing on the date when it is medically diagnosable.

LD 922**An Act to Require Disclosure to Consumers about the Availability of Private Insurance Adjusters****ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COWGER TREAT	ONTP	

LD 922 proposed to require insurers to notify persons filing claims that they may use the services of an independent adjuster for a fee.

LD 933**Resolve, to Establish a Commission to Study Insurance Fraud****RESOLVE 77
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PEAVEY LAFOUNTAIN	OTP-AM	H-238 S-357 MICHAUD

LD 933 proposed to establish the Commission to Study Insurance Fraud. The commission shall report its findings and any recommended legislation to the joint standing committee having jurisdiction over banking and insurance matters and to the Executive Director of the Legislative Council.

Committee Amendment "A" (H-238) replaced the resolve and proposed to make the following changes from the original bill:

1. Add representatives from the Office of the State Fire Marshal, the Medicaid fraud unit of the Department of Human Services, the private bar, hospitals and health care providers to the commission and clarify that the Governor appoints the commission members who are not Legislators;
2. Reduce the legislative membership from three to two members;