

# MAINE STATE LEGISLATURE

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*State Of Maine  
120th Legislature*

*First Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Banking and Insurance*

*August 2001*

**Members:**

*Sen. Lloyd P. LaFountain III, Chair  
Sen. I. Joel Abromson  
Sen. Neria R. Douglass*

*Rep. Christopher P. O'Neil, Chair  
Rep. Benjamin F. Dudley  
Rep. Nancy B. Sullivan  
Rep. Marilyn E. Canavan  
Rep. Lisa T. Marrache  
Rep. William J. Smith  
Rep. Arthur F. Mayo III  
Rep. Kevin J. Glynn  
Rep. Florence T. Young  
Rep. John M. Michael*

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**Maine State Legislature**  
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**120th Legislature**  
**First Regular Session**

**Summary Of Legislation Before The Joint Standing Committees**  
**August 2001**

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing select committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. 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 considered by the committees. It is organized 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](http://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*  
*NOT PROPERLY BEFORE THE BODY*..... *Ruled out of order by the presiding officers; bill died*  
*INDEF PP*..... *Bill Indefinitely Postponed*  
*ONTP*..... *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 **September 21, 2001**.

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

## Joint Standing Committee on Banking and Insurance

LD 66

**An Act to Prohibit Cancellation of an Automobile Insurance Policy after an Accident Involving a Deer or Moose**

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| TESSIER<br>MILLS  | ONTP                    |                           |

Under the Maine Automobile Insurance Cancellation Control Act, certain occurrences involving a motor vehicle are not considered an accident for purposes of determining whether an insurer may cancel an insured's automobile insurance policy because the insured has been involved in motor vehicle accidents. LD 66 proposed to establish that an accident involving a single car colliding with a deer or moose is not considered an accident for purposes of the Maine Automobile Insurance Cancellation Control Act.

**LD 80**

**An Act to Allow Certified Insurance Counselors to Qualify as Risk Managers**

PUBLIC 3

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| O'NEIL            | OTP                     |                           |

LD 80 proposed to add a certified insurance counselor to the list of designations that qualify as a risk manager used or employed by a large commercial contract.

### *Enacted law summary*

Public Law 2001, chapter 3 adds a certified insurance counselor to the list of designations that qualify as a risk manager used or employed by a large commercial contract.

LD 81

**An Act to Further Encourage the Creation of Private Purchasing Alliances**

ONTP

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

LD 81 proposed to allow a given benefit plan offered through a private purchasing alliance to have a benefit differential that exceeds 20% if the Superintendent of Insurance waives the requirement. The bill also would have allowed the superintendent to waive compliance with a rule prohibiting carriers from applying a benefit differential to enrollees who must travel unreasonable distances for health care services. The provision allowing a health plan to have a benefit differential exceeding 20% if the Superintendent waives the requirement was incorporated into Public Law 2001, chapter 369. See summary for LD 204.