

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

Staff:

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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).

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

deductibles. Contributions to, interest earned on and qualified withdrawals from medical savings accounts would be exempt from Maine state income tax.

LD 1554 has been carried over to the Second Regular Session.

LD 1572 **An Act to Provide Insurance Parity for Mental Health Services** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KANE PENDLETON	ONTP	

LD 1572 proposed to require all insurance sold in the State to cover certain biologically based mental illnesses under the same terms and conditions as physical illnesses. The bill also proposed to add to the list of mental illnesses defined as biologically based by including eating disorders, substance abuse disorders, tic disorders, and attention and disruptive disorders.

See related bill LD 1627.

LD 1621 **An Act to Require that a Corporation Meet the Same Requirements as an Individual for Proof of Insurance** **ONTP**

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

LD 1621 proposed to impose the same requirements for proof of financial responsibility relating to the ownership or operation of a motor vehicle by an individual on a corporation. The bill also proposed to require that when vehicles owned by corporations are involved in accidents corporations must settle with the owner, operator or passenger of any other vehicle involved in the accident within 60 days of the accident if the fault of the operator of the corporation's vehicle is not disputed. If the corporation believes the operator of its vehicle is not at fault in the accident, the corporation must demonstrate to the Secretary of State that the operator was not at fault within 30 days of the accident.

LD 1627 **An Act to Ensure Equality in Mental Health Coverage** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUDLEY DOUGLASS		

LD 1627 proposed to establish parity coverage for mental illness and substance abuse under the same terms and conditions as coverage for physical illness in all health insurance policies and health benefit plans. It would expand the coverage of illness to include children's disorders and adult disorders as defined in the Diagnostic and Statistical

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Manual of Mental Disorders, as periodically revised, and make current statutory definitions consistent. The bill also would include licensed clinical professional counselors in the definition of providers eligible to diagnose and treat mental illness.

As required by Title 24-A Maine Revised Statutes Section 2752, the Joint Standing Committee on Banking and Insurance has requested that a review and evaluation of the proposed mandated health insurance benefit for mental illness included in the bill be completed by the Bureau of Insurance over the interim. LD 1627 has been carried over to the Second Regular Session.

LD 1630 **An Act to Permit the Issuance of Certain Types of Consumer Credit Insurance** **PUBLIC 138**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DOUGLASS SULLIVAN	OTP-AM	S-89

LD 1630 was submitted on behalf of the Department of Professional and Financial Regulation.

LD 1630 proposed to amend the Maine Revised Statutes, Title 24-A, chapter 37 to permit the issuance of additional types of consumer credit insurance. Currently, chapter 37 only permits the issuance of credit life and credit accident and health insurance. This bill would extend the provisions of this chapter to expressly permit the issuance of and clarify the regulation of credit involuntary unemployment insurance and credit property insurance. It also added a new chapter 40-A to Title 24-A that expressly permits the issuance of the following types of property and casualty insurance on a group basis: credit involuntary unemployment insurance, credit property insurance and other types of insurance authorized to be issued on a group basis under rules adopted by the Superintendent of Insurance. Currently, it is unclear whether these types of insurance may be issued on a group basis. This bill would expressly permit the issuance of these products and provide regulatory protections for this insurance. LD 1630 proposed to authorize the superintendent to adopt rules regarding consumer credit insurance including the creation of rating standards and to adopt rules to establish specific requirements for group property and casualty insurance policies and rates. The latter rules may also specify additional types of insurance that may be issued on a group basis.

Committee Amendment "A" (S-89) proposed to exempt casualty insurance and debt cancellation agreements from the application of chapter 37 of the Maine Insurance Code. The amendment also removed the reference to approval of rates consistent with current law.

The amendment also added a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 138 amends the Maine Revised Statutes, Title 24-A, chapter 37 to permit the issuance of additional types of consumer credit insurance. Currently, chapter 37 only permits the issuance of credit life and credit accident and health insurance. The law extends the provisions of this chapter to expressly permit the issuance of and clarify the regulation of credit involuntary unemployment insurance and credit property insurance. The law exempts debt cancellation agreements and casualty insurance from the application of chapter 37 of the Maine Insurance Code.