

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

*First Regular Session and
First Special Session*

Bill Summaries

*Joint Standing Committee
on
Insurance and Financial Services*

August 2005

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Maine State Legislature

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122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included 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 June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

Joint Standing Committee on Insurance and Financial Services

noninstitutional providers to bill for Medicare Part B covered services. The law also clarifies that claims for services provided in nonoffice settings may be negotiated.

LD 447 **An Act To Require Health Insurers To Cover the Costs of Hearing Aids** CARRIED OVER

<u>Sponsor(s)</u> EDMONDS		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-149
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LD 447 proposed to require health insurance policies, contracts and certificates to provide coverage for hearing aids for persons 21 years of age and under. The provisions would apply to all policies, contracts and certificates issued or renewed on or after January 1, 2006.

Committee Amendment "A" (S-149) proposed to require health insurance policies, contracts and certificates to provide coverage for hearing aids for persons 18 years of age and under. The bill required coverage for persons 21 years of age and under. The amendment would allow insurance policies to limit coverage to \$1,400 per hearing aid every 36 months. The provisions apply to all policies, contracts and certificates issued or renewed on or after January 1, 2006.

Committee Amendment "A" was enacted in the House, but placed on the Special Appropriations Table in the Senate.

LD 447 was carried over on the Special Appropriations Table by S.P. 640 to the next special or regular session of the 122nd Legislature.

LD 448 **An Act To Require Health Insurers To Cover the Cost of Sign Language Interpreters for All Nonhospital Medical Appointments** ONTP

<u>Sponsor(s)</u> EDMONDS		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 448 proposed to require health insurance policies and contracts to provide coverage for the provision of sign language interpreter services at all applicable nonhospital medical and dental care appointments for a deaf or hard-of-hearing person whose hearing loss has been documented by a physician or a licensed audiologist.

LD 464 **An Act To Prohibit Certain Uses of a Financial Institution's Name** PUBLIC 46

<u>Sponsor(s)</u> MAYO PERRY A		<u>Committee Report</u> OTP-AM MAJ ONTP MIN		<u>Amendments Adopted</u> S-24
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LD 464 proposed to prohibit a person from using the name of a financial institution in the solicitation of insurance without the express written permission of that financial institution.

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Committee Amendment "A" (S-24) proposed to clarify that a person may not use the name of a financial institution in the solicitation of insurance without the express written permission of that financial institution unless the person discloses that permission has not been granted and that there is no affiliation with that financial institution.

Enacted law summary

Public Law 2005, chapter 46 prohibits a person from using the name of a financial institution in the solicitation of insurance without the express written permission of that financial institution unless the person discloses that permission has not been granted and that there is no affiliation with that financial institution.

LD 509

An Act To Adopt the Maine Uniform Securities Act

PUBLIC 65

Sponsor(s)
PERRY A

Committee Report
OTP-AM

Amendments Adopted
H-103

LD 509 proposed to do the following:

1. Part A of this bill enacts the Maine Uniform Securities Act.
2. Part B authorizes the Superintendent of Insurance to adopt certain rules.
3. Part C corrects cross references.

Committee Amendment "A" (H-103) proposed to make the following changes to the bill.

1. It clarifies that a credit union is exempt from the definition of broker-dealer as are other financial institutions;
2. It clarifies that the filing fee that must be paid before a viatical or life settlement contract may be offered for sale in this State is nonrefundable;
3. It provides authority to the Securities Administrator to waive the renewal fee for licensed agents or investment adviser representatives who are members of the National Guard or Reserves of the United States Armed Forces on active duty;
4. It changes the effective date from January 1, 2006 to December 31, 2005; and
5. It makes other technical and grammatical changes.

Enacted law summary

Public Law 2005, chapter 65 enacts the Maine Uniform Securities Act based on the Uniform Securities Act drafted by the National Conference of Commissioners on Uniform State Laws. The law updates and revises the current Revised Maine Securities Act. The law becomes effective December 31, 2005.