

MAINE STATE LEGISLATURE

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STATE OF MAINE
124TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the First Regular Session of the 124th Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON INSURANCE AND
FINANCIAL SERVICES**

July 2009

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STATE OF MAINE

124TH LEGISLATURE
FIRST REGULAR SESSION



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 124th Maine Legislature.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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:

<i>CARRIED OVER</i>	<i>Carried over to a subsequent session of the Legislature</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed; bill died</i>
<i>ONTP (or Accepted ONTP report)</i>	<i>Ought Not To Pass report accepted; bill died</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

The effective date for non-emergency legislation enacted in the First Regular Session of the 124th Legislature is September 12, 2009. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

Joint Standing Committee on Insurance and Financial Services

the services and payments made by insurance companies on behalf of their policyholders.

While LD 323 was voted "Ought Not to Pass", the substantive provisions of the bill are included in LD 1205, An Act to Establish the Health Care Bill of Rights. See LD 1205, which was enacted as Public Law 2009, chapter 439.

LD 377 **An Act To Amend the Procedure for Foreclosure Regarding Timing and Sale**

ONTP

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

This bill allows a court upon a showing of good cause to extend a deadline for a notice of sale or conducting a public sale in a foreclosure action.

While LD 377 was voted "Ought Not to Pass", the substantive provision in the bill was incorporated into LD 1418, An Act to Preserve Home Ownership and Stabilize the Economy by Preventing Unnecessary Foreclosures. See LD 1418, which was enacted as Public Law 2009, chapter 402.

LD 390 **An Act To Clarify Guaranteed Fund Protection for Deferred Compensation Accounts**

**PUBLIC 118
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCORMICK	OTP-AM	S-58

This bill is a concept draft pursuant to Joint Rule 208. The purpose of this bill is to clarify how a guaranteed fund would protect certain deferred compensation investments following the insolvency of a deferred compensation provider.

Committee Amendment "A" (S-58)

This amendment replaces the concept draft. The amendment provides that the annuity contracts issued to individuals participating in governmental retirement benefit plans are protected through the Maine Life and Health Insurance Guaranty Association whether those annuities are allocated or unallocated. The amendment also specifies that the financial interest of participants in those plans is protected up to \$250,000 in the aggregate in present value of annuity benefits. The amendment adds an emergency preamble and provides that the Act applies to an insolvency of an insurance company that is a member of the Maine Life and Health Insurance Guaranty Association that occurs on or after the date the Act is approved.

Enacted Law Summary

Public Law 2009, chapter 118 provides that the annuity contracts issued to individuals participating in governmental retirement benefit plans are protected through the Maine Life and Health Insurance Guaranty Association whether those annuities are allocated or unallocated. The law also specifies that the financial interest of participants in those plans is protected up to \$250,000 in the aggregate in present value of annuity benefits.

Public Law 2009, chapter 118 was enacted as an emergency measure effective May 11, 2009; however, the law applies to an insolvency of an insurance company that is a member of the Maine Life and Health Insurance Guaranty Association that occurs on or after May 11, 2009.