

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
126<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

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

July 2013

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**STAFF:**

COLLEEN MCCARTHY REID, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670

# STATE OF MAINE

126<sup>TH</sup> LEGISLATURE

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## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 126<sup>th</sup> Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD 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 LD is noted to the right of the LD title. The following describes the various final actions.

*CARRIED OVER* ..... carried over to a subsequent session of the Legislature  
*CON RES XXX*..... chapter # of constitutional resolution passed by both houses  
*CONF CMTE UNABLE TO AGREE*.....Committee of Conference unable to agree; legislation died  
*DIED BETWEEN HOUSES*.....House & Senate disagreed; legislation died  
*DIED IN CONCURRENCE*.....defeated in each house, but on different motions; legislation died  
*DIED ON ADJOURNMENT*..... action incomplete when session ended; legislation died  
*EMERGENCY*..... enacted law takes effect sooner than 90 days after session adjournment  
*FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE* ..... emergency failed to receive required 2/3 vote  
*FAILED, ENACTMENT or FINAL PASSAGE*..... failed to receive final majority vote  
*FAILED, MANDATE ENACTMENT* ..... legislation proposing local mandate failed required 2/3 vote  
*HELD BY GOVERNOR*..... Governor has not signed; final disposition to be determined at subsequent session  
*LEAVE TO WITHDRAW*..... sponsor's request to withdraw legislation granted  
*NOT PROPERLY BEFORE THE BODY* ..... ruled out of order by the presiding officer; legislation died  
*INDEF PP*..... indefinitely postponed; legislation died  
*ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X*... ought-not-to-pass report accepted; legislation died  
*P&S XXX*..... chapter # of enacted private & special law  
*PUBLIC XXX*.....chapter # of enacted public Law  
*RESOLVE XXX*..... chapter # of finally passed resolve  
*VETO SUSTAINED*..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 126<sup>th</sup> Legislature is October 9, 2013. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

*Joint Standing Committee on Insurance and Financial Services*

**LD 133**

**An Act To Allow an Operator of a Motor Vehicle To Show Proof of Insurance by Electronic Means**

**PUBLIC 72**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FITZPATRICK JACKSON T	OTP-AM	H-52

This bill provides that evidence of liability insurance or financial responsibility may be in electronic form.

**Committee Amendment "A" (H-52)**

This amendment replaces the bill. The amendment provides that evidence of liability insurance or financial responsibility may be in electronic form when an operator of a motor vehicle registers a motor vehicle and when an operator is stopped by a law enforcement officer for a moving violation or is involved in an accident. The amendment clarifies that providing proof of insurance on a portable electronic device does not constitute consent for a law enforcement officer to access other contents of the portable electronic device. The amendment also makes technical changes to reflect the authorization to issue evidence of liability insurance or financial responsibility in electronic form.

**Enacted Law Summary**

Public Law 2013, chapter 72 provides that evidence of liability insurance or financial responsibility may be in electronic form when an operator of a motor vehicle registers a motor vehicle and when an operator is stopped by a law enforcement officer for a moving violation or is involved in an accident. The law clarifies that providing proof of insurance on a portable electronic device does not constitute consent for a law enforcement officer to access other contents of the portable electronic device. The law also makes technical changes to reflect the authorization to issue evidence of liability insurance or financial responsibility in electronic form.

**LD 146**

**Resolve, Directing the Bureau of Insurance To Study Issues Related to Long-term Care Insurance**

**VETO  
SUSTAINED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TREAT CRAVEN	OTP-AM	H-211

This bill prohibits unfair discrimination on the basis of gender in the underwriting of long-term care insurance. The bill also requires the Department of Professional and Financial Regulation, Bureau of Insurance to evaluate the best methods to stabilize rates for long-term care insurance and to submit a report to the Joint Standing Committee on Insurance and Financial Services.

**Committee Amendment "A" (H-211)**

This amendment replaces the bill with a resolve directing the Department of Professional and Financial Regulation, Bureau of Insurance to study issues related to long-term care insurance, including, but not limited to, methods to stabilize rates and prevent unfair discrimination based on gender or other factors. The resolve requires the bureau to submit a report to the Joint Standing Committee on Insurance and Financial Services by February 1, 2014 and authorizes the committee to submit a bill based on the report to the Second Regular Session of the 126th Legislature.