

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH LEGISLATURE
FIRST REGULAR SESSION



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

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

August 2015

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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 127th 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. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

<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; legislation died</i>
<i>DIED BETWEEN HOUSES</i>	<i>House & Senate disagreed; legislation died</i>
<i>DIED IN CONCURRENCE</i>	<i>defeated in each house, but on different motions; legislation died</i>
<i>DIED ON ADJOURNMENT</i>	<i>action incomplete when session ended; legislation died</i>
<i>EMERGENCY</i>	<i>enacted law takes effect sooner than 90 days after session adjournment</i>
<i>FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE</i>	<i>emergency failed to receive required 2/3 vote</i>
<i>FAILED, ENACTMENT or FINAL PASSAGE</i>	<i>failed to receive final majority vote</i>
<i>FAILED, MANDATE ENACTMENT</i>	<i>legislation proposing local mandate failed required 2/3 vote</i>
<i>HELD BY GOVERNOR</i>	<i>Governor has not signed; final disposition to be determined at subsequent session</i>
<i>LEAVE TO WITHDRAW</i>	<i>sponsor's request to withdraw legislation granted</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>ruled out of order by the presiding officer; legislation died</i>
<i>INDEF PP</i>	<i>indefinitely postponed; legislation died</i>
<i>ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X</i>	<i>ought-not-to-pass report accepted; legislation 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>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 127th Legislature is October 15, 2015. 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

The bill authorizes a health care entity, a carrier or another person designated by a health care entity, carrier, patient or prospective patient to have access at no cost to the all-payor and all-settings health care database for claims for the purposes of providing the information required.

The bill also requires carriers to provide certain information to the Department of Professional and Financial Regulation, Bureau of Insurance on an annual basis relating to the payments made to enrollees and the saved costs if an enrollee elects to receive health care services from a provider that cost less than the average cost for a particular admission, procedure or service.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

LD 1318 An Act To Promote Individual Private Savings Accounts through a Public-private Partnership

CARRIED OVER

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

This bill establishes the Maine Small Business Marketplace. The bill requires employers of more than 10 employees that have not offered their employees a qualified retirement plan in the preceding two years to offer a payroll deposit retirement savings arrangement to their employees to allow contributions to an individual retirement account. The bill also allows small employers with fewer than 10 employees to voluntarily participate in the marketplace. The bill requires the Treasurer of State to administer and oversee the marketplace.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

LD 1344 An Act To Protect Maine Consumers in the Individual Health Insurance Market and Support Maine's Economy

INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANBORN GRATWICK	OTP-AM	H-291

This bill establishes the State's health benefit exchange as authorized by the federal Patient Protection and Affordable Care Act. The bill specifies that the exchange's technical functions specified in the federal Patient Protection and Affordable Care Act, including, but not limited to, operation of the publicly accessible website, telephone hotline, cost calculator and exemption certification process, are to be operated by the Federal Government. The bill authorizes state agencies and departments to interact and cooperate with the Federal Government with respect to the operation of the federally facilitated exchange for the State and to perform any exchange functions necessary to ensure that State residents have continued eligibility for premium tax credits and cost-sharing reductions.

The bill also clarifies that the Superintendent of Insurance retains authority to regulate the business of insurance within the State and that all health insurance carriers offering qualified health plans through the federally facilitated exchange must comply with all applicable health insurance laws of this State and rules adopted and orders issued by the superintendent.

The provisions of this bill take effect only if the Federal Government notifies the State that premium tax credits will become unavailable to people purchasing health insurance through the federally facilitated marketplace.

Committee Amendment "A" (H-291)

Joint Standing Committee on Insurance and Financial Services

This amendment directs the Governor or the Governor's designee to interact with and cooperate with the Federal Government with respect to the State's health benefit exchange and authorizes the Governor or the Governor's designee to enter into any agreements for the performance of the technical functions of the exchange by the Federal Government.

The amendment clarifies that the State may not appropriate or allocate any funds other than federal funds for the costs of providing subsidies to individuals purchasing health insurance coverage through the exchange.

The amendment adds a repeal provision that would repeal authorization for the state-based exchange if the Federal Government notifies the State that advanced premium tax credits will become available to individuals purchasing health insurance coverage through a federally facilitated marketplace established pursuant to the federal Patient Protection and Affordable Care Act.

The amendment also adds an emergency preamble and emergency clause.

This bill was indefinitely postponed following the recent United States Supreme Court decision in *King v. Burwell* upholding the availability of advanced premium tax credits to individuals purchasing health insurance coverage through a federally facilitated market place.

LD 1379 An Act To Establish Transportation Network Company Insurance

**PUBLIC 279
EMERGENCY**

Sponsor(s)

BECK

Committee Report

OTP-AM

Amendments Adopted

H-397

This bill establishes requirements for insurance coverage relating to the operation of transportation network companies in the State, which are companies that provide prearranged transportation services for compensation using a digital network to connect a passenger with a driver using a personal vehicle.

Committee Amendment "A" (H-397)

This amendment creates a permitting process for transportation network companies to provide transportation services, establishes requirements for drivers providing transportation services on behalf of transportation network companies, establishes minimum motor vehicle liability insurance requirements for transportation network companies and drivers and prohibits municipalities from regulating transportation network companies and drivers.

The amendment also adds an emergency preamble and emergency clause to the bill.

Enacted Law Summary

Public Law 2015, chapter 279 establishes requirements relating to the operation of transportation network companies in the State, which are companies that provide prearranged transportation services for compensation using a digital network to connect a passenger with a driver using a personal vehicle. The law creates a permitting process for transportation network companies to provide transportation services, establishes requirements for drivers providing transportation services on behalf of transportation network companies, establishes minimum motor vehicle liability insurance requirements for transportation network companies and drivers and prohibits municipalities from regulating transportation network companies and drivers.

Public Law 2015, chapter 279 was enacted as an emergency measure effective June 30, 2015.