

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

**STATE OF MAINE**  
128<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**

August 2017

**STAFF:**

COLLEEN MCCARTHY REID, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670  
<http://legislature.maine.gov/legis/opla/>

**MEMBERS:**

SEN. RODNEY L. WHITTEMORE, CHAIR  
SEN. DANA L. DOW  
SEN. EVERETT BROWNIE CARSON

REP. MARK W. LAWRENCE, CHAIR  
REP. HEIDI E. BROOKS  
REP. GINA M. MELARAGNO  
REP. BENJAMIN T. COLLINGS  
REP. HEATHER B. SANBORN  
REP. RAYMOND A. WALLACE  
REP. JOHN JOSEPH PICCHIOTTI  
REP. ROBERT A. FOLEY  
REP. DWAYNE W. PRESCOTT  
REP. GARREL ROBERT CRAIG

# STATE OF MAINE

128<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



## 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 128<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. 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.

*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 128<sup>th</sup> Legislature is Wednesday, November 1, 2017. 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***

insurance carrier to provide coverage for marijuana for medical use for a health plan enrollee who has received certification for the medical use of marijuana from an authorized medical provider. Carriers are required to directly reimburse a health plan enrollee for the costs of obtaining a medical marijuana certificate and the costs of medical marijuana. The requirements apply to all individual and group policies and contracts issued or renewed on or after January 1, 2019. The amendment also adds language exempting the amendment's provisions from review and evaluation pursuant to the Maine Revised Statutes, Title 24-A, section 2752.

This amendment was not adopted.

**LD 1138      An Act To Require Notification of Long-term Care Policy Proposed Rate Increases      Accepted Majority (ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TEPLER D DOW D	ONTP OTP-AM	

This bill requires the Department of Professional and Financial Regulation, Bureau of Insurance to notify a policyholder of a long-term care insurance policy of a proposed premium rate increase that affects the policyholder no later than 10 business days after the filing of the premium rate increase.

**Committee Amendment "A" (H-161)**

This amendment is the minority report of the committee and replaces the bill. The amendment requires the insurer to notify a policyholder of a long-term care insurance policy of a proposed premium rate increase that affects the policyholder no later than 10 business days after the filing of the premium rate increase. The bill requires that the notice be sent by the Department of Professional and Financial Regulation, Bureau of Insurance. The amendment also requires that the notice inform the policyholder of the policyholder's right to contact the Department of Professional and Financial Regulation, Bureau of Insurance to request a hearing on the proposed rate increase.

This amendment was not adopted.

**LD 1161      An Act To Amend the Insurance Laws Governing the Provision of Rebates      PUBLIC 84**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DOW D COLLINGS B	OTP-AM ONTP	S-72

This bill amends the laws regarding rebates under life, health and annuity contracts and prohibiting unfair discrimination and rebates by property, casualty and surety insurers to allow a person to offer or provide services, whether or not the services are directly related to an insurance contract, for free or for less than fair market value as long as the receipt of the services is not contingent upon the purchase of insurance. It also requires a written or oral disclosure to be made to the recipient of the services that the services are not contingent on the purchase of insurance.

**Committee Amendment "A" (S-72)**

This amendment is the majority report of the committee and replaces the bill. This amendment retains the provision in the bill allowing a person to offer or provide services, whether or not the services are directly related to an insurance contract, for free or for less than fair market value, as long as the receipt of the services is not contingent upon the purchase of insurance and the recipient of the services is notified in writing that the services are not contingent on the purchase of insurance. The amendment also increases the dollar limits for permissible gifts in

## Joint Standing Committee on Insurance and Financial Services

connection with marketing and retention of contracts from \$20 per person to \$100 per person and increases the maximum value of prizes awarded in raffles and drawings from \$100 to \$500.

### Enacted Law Summary

Public Law 2017, chapter 84 allows a person to offer or provide services, whether or not the services are directly related to an insurance contract, for free or for less than fair market value, as long as the receipt of the services is not contingent upon the purchase of insurance and the recipient of the services is notified in writing that the services are not contingent on the purchase of insurance. The law also increases the dollar limits for permissible gifts in connection with the marketing and retention of insurance contracts from \$20 per person to \$100 per person and increases the maximum value of prizes awarded in raffles and drawings in connection with the marketing and retention of insurance contracts from \$100 to \$500.

### LD 1164 An Act To Facilitate Small Loans in Maine

ONTP

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

This bill amends the Maine Consumer Credit Code. It enacts requirements for loans of \$2,000 or less and it authorizes consumer loan lenders and open-end credit creditors to charge origination fees and monthly maintenance fees.

### LD 1198 An Act To Enhance the Administration of the State's Group Health Plan

PUBLIC 56  
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FOLEY R	OTP	

This bill allows the term of the contract for the State's group health plan to be extended in one-year increments for up to three additional years.

### Enacted Law Summary

Public Law 2017, chapter 56 allows the term of the contract for the State's group health plan to be extended in one-year increments for up to three additional years.

Public Law 2017, chapter 56 was enacted as an emergency measure effective May 11, 2017.

### LD 1199 An Act To Promote Fiscal Responsibility in the Purchasing of Debt

PUBLIC 216

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANBORN H WHITTEMORE R	OTP-AM	H-468

This bill amends the Maine Fair Debt Collection Practices Act in the following ways.

1. It defines the term "debt buyer" and requires debt buyers to obtain debt collector licenses from the Superintendent of Consumer Credit Protection.