

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH LEGISLATURE
FIRST SPECIAL AND SECOND REGULAR SESSIONS



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

**JOINT STANDING COMMITTEE ON HEALTH COVERAGE,
INSURANCE AND FINANCIAL SERVICES**

November 2020

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STATE OF MAINE

129TH 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 129th 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 129th Legislature is Thursday, September 19, 2019. 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 Health Coverage, Insurance and Financial Services

This bill was carried over in committee from the First Regular Session of the 129th Legislature by joint order H.P. 1322.

This bill, which is a concept draft pursuant to Joint Rule 208, proposes to amend the Maine Insurance Code to prevent denial of life insurance for persons who take preexposure prophylaxis medication to prevent HIV infection.

Committee Amendment "A" (S-403)

This amendment, which is the majority report of the committee, replaces the bill and changes the title. The amendment prohibits a denial or limitation of coverage or an increase in insurance premiums under a life, disability income or long-term care insurance policy based on the fact that an individual has been prescribed preexposure prophylaxis medication to prevent HIV infection.

Enacted Law Summary

Public Law 2019, chapter 596 prohibits a denial or limitation of coverage or an increase in insurance premiums under a life, disability income or long-term care insurance policy based on the fact that an individual has been prescribed preexposure prophylaxis medication to prevent HIV infection.

LD 1767 An Act To Increase the Efficiency of Certain Consumer Credit Protection Laws

CARRIED OVER

Sponsor(s)

FOLEYR

Committee Report

Amendments Adopted

This bill was carried over in committee from the First Regular Session of the 129th Legislature by joint order, H.P. 1322.

Part A of this bill does the following.

1. It clarifies the jurisdiction of the Department of Professional and Financial Regulation, Bureau of Consumer Credit Protection to regulate transactions entered into by mail, telephone or electronic mail or using a creditor's website when the consumer is located in Maine.
2. It establishes that an automobile seller is regularly engaged in credit sales if the seller sells more than 15 cars per year on credit. Currently, a dealer can sell up to 25 cars a year on credit without complying with any disclosure, rate cap or repossession standards.
3. It defines a supervised lender to include a company that purchases and collects on supervised loans, regardless of whether the company maintains an office in this State. Current law already holds in-state companies to this standard.
4. It clarifies confidentiality provisions by referencing an exception currently found in another section of the Maine Consumer Credit Code.
5. It authorizes the Superintendent of Consumer Credit Protection to adjust fees to support the costs of compliance and staff attorney positions with revenues derived from nonbank mortgage companies. It also allows the superintendent to reduce fees by order.
6. It corrects a reference to the Superintendent of Consumer Credit Protection.
7. It specifically provides that the Superintendent of Consumer Credit Protection or the Superintendent of Financial

Joint Standing Committee on Health Coverage, Insurance and Financial Services

Institutions has the authority, after notice to the licensee and opportunity to be heard, to suspend, revoke or deny renewal of a payroll processor's license.

8. It confirms the ability of the Bureau of Consumer Credit Protection to regulate transmission of digital currencies, such as Bitcoin.

9. It clarifies the definition of "debt buyer" as a regular purchaser of delinquent debt, regardless of whether the delinquent debt has been charged off and removed as an account from the books of the creditor as an asset and treated as a loss or expense.

10. It establishes the Superintendent of Consumer Credit Protection's authority over debt collectors consistent with authority granted the administrator with respect to other license types.

11. It adds to the laws governing debt collectors' routine enforcement authority consistent with authority currently applied with respect to consumer lenders and creditors.

12. It adds to the laws governing debt collectors an assurance of discontinuance as an enforcement option consistent with current law applicable to consumer lenders and creditors.

Part B repeals mortgage lending restrictions applicable to nonbank mortgage lenders that have been made unnecessary due to subsequent enhancements to federal mortgage lending laws.

Part C does the following.

1. It permits the use of a nationwide multistate licensing system to process licenses and registrations with respect to general creditors, debt collectors, money transmitters and other entities regulated by the Bureau of Consumer Credit Protection. It also authorizes the use of that system by large, national companies that already use the system for their licenses in other states.

2. It amends a notification date provision in the law to permit the Bureau of Consumer Credit Protection to use the nationwide mortgage licensing system for different business types.

Part D does the following.

1. It repeals language that requires annual reports to the joint standing committee of the Legislature having jurisdiction over insurance and financial services matters.

2. It repeals language that requires a report to the Legislature every 90 days on the activities of the Bureau of Consumer Credit Protection's foreclosure intake, counseling and referral program.

3. It consolidates accounts within the Bureau of Consumer Credit Protection.

4. It repeals language that requires the Bureau of Consumer Credit Protection to report to the Legislature every six months on the budgetary aspects of the bureau's foreclosure intake, counseling and referral program.

This bill, which had been voted but not yet reported out of committee, was carried over in committee to any special session of the 129th Legislature by joint order, S.P. 788.