

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 128

7 H.P. 120

House of Representatives, January 10, 1983

8 Reference to the Committee on Business Legislation. Sent up for
9 concurrence and ordered printed.

10 EDWIN H. PERT, Clerk

Presented by Representative Martin of Eagle Lake.
Cosponsor: Senator Pray of Penobscot.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT to Authorize Group Self-insurers
18 to Add Participating Employers.
19

20 Be it enacted by the People of the State of Maine as
21 follows:

22 39 MRSA §23, sub-§4, ¶C, as amended by PL 1979,
23 c. 577, §5, is further amended to read:

24 C. An employer participating in group self-
25 insurance shall not be relieved from the liabil-
26 ity for compensation prescribed by this chapter,
27 except by the payment thereof by the group self-
28 insurer or by himself. As between the employee
29 and the group self-insurer, notice to or knowl-
30 edge of the occurrence of the injury on the part
31 of the employer shall be deemed notice or knowl-
32 edge, as the case may be, on the part of the
33 group self-insurer; jurisdiction of the employer
34 shall, for the purpose of this chapter, be juris-

1 diction of the group self-insurer and such the
2 group self-insurer shall in all things be bound
3 by and subject to the orders, findings, decisions
4 or awards rendered against the participating
5 employer for the payment of compensation under
6 this chapter. The insolvency or bankruptcy of a
7 participating employer shall not relieve the
8 group self-insurer from the payment of compensa-
9 tion for injuries or death sustained by an
10 employee during the time the employer was a par-
11 ticipant in such the group self-insurance. The
12 group self-insurer shall promptly notify the
13 superintendent and the Workers' Compensation Com-
14 mission, on a prescribed form, of the addition of
15 any participating employer or employers. The
16 approval of the Superintendent of Insurance shall
17 not be necessary in order to add participating
18 employers to the group self-insurer. Notice of
19 termination of a participating employer shall not
20 be effective until at least 10 days after notice
21 of such that termination, on a prescribed form,
22 has been either filed in the office of the super-
23 intendent and the Workers' Compensation Commis-
24 sion or sent by registered mail, and also served
25 in like manner upon the other participating
26 employers.

27 STATEMENT OF FACT

28 This bill makes clear that the approval of the
29 Superintendent of Insurance need not be obtained when
30 group self-insurers under the workers' compensation
31 law add participating employers to their programs.

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