

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
109TH LEGISLATURE
SECOND REGULAR SESSION

(Filing No. S-440)

D. OF R.

SENATE AMENDMENT "A" to H.P. 1747, L.D. 1863, Bill
"AN ACT Relating to Group Self-insurers under the Workers'
Compensation Act."

Amend the bill by inserting after section 4 the following:

'Sec. 5. 39 MRSA §23 sub-§2-A first ¶, as last
amended by PL 1979, c. 577, §2 ~~←~~ → is repealed and the
following enacted in its place:

2-A. Subsection 2, which applies to individual self-
insurers, shall be equally applicable in all respects to
group self-insurers. Group self-insurers shall be those
individuals or corporations associated together having sim-
ilar business objectives, similar types of employment or
employees engaged in the same type of work. Such group
desiring to become a self-insurer shall submit to the Super-
intendent of Insurance, with an application for self-insurance,
in form prescribed by the superintendent, the following:

Sec. 6. 39 MRSA §23, sub-§4, ¶A as repealed by ^{PL}1979, c. 577,
← §3 → is reenacted to read:

A. Definitions. As used in this section, the term
"employers" shall include:

- (1) Employers with related activity in a given in-
dustry employing persons who perform work in connection
with the given industry;

(2) An incorporated or unincorporated association or associations consisting exclusively of such employers provided they employ persons who perform such related work in the given industry;

(3) A combination of employers as described in subparagraph (1) and an association or associations of employers as described in subparagraph (2).

Sec. 7. 39 MRSA §23, sub-§4, ¶B, first sentence, as last amended by PL 1979, c. 577, section 4 is repealed and the following enacted in its place:

Any group consisting exclusively of such employers may adopt a plan for self-insurance, as a group, for the payment of compensation under this chapter for their employees.'

Further amend the bill by renumbering section 5 to be section 8.

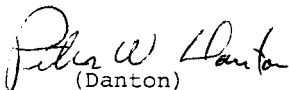
Further amend the bill by inserting at the end before the statement of fact the following:

'Sec. 9. Effective date. Sections 5,6 and 7 of this Act shall become effective 91 days after the Legislature adjourns.'

Statement of Fact

This amendment clarifies that group self-insurers must have similar objectives, types of employment or employees engaged in the same type of work. ^{Public Law chapter} /1979, /577, which will not take effect until 90 days after adjournment, would allow

any employers, regardless of lack of community of interests,
to become group self-insurers.


(Danton)
NAME:

TOWN: York County

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March 7, 1980

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