

MAINE STATE LEGISLATURE

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L. D. 1611

STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-453)
110TH LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "A" to H.P. 1483, L.D. 1611, Bill, "AN ACT to Control the Cost of Workers' Compensation Rates to Maine Employers."

Amend the bill in section 4 by striking out the amending clause and inserting in its place the following:

'Sec. 4. 39 MRSA §23, sub-§1-A is enacted to read:'

Further amend the bill in section 5, in that part designated "§251." 8th line (6th line in LD) by striking out the underlined word "chapter" and inserting in its place the underlined word 'Act'

Further amend the bill in section 5, in that part designated "§251." 10th line (9th line in LD) by striking out the underlined word "Act" and inserting in its place the underlined word 'chapter'

Further amend the bill in section 5 in that part designated "§251." by inserting at the end a new sentence to read:
'The fund shall be governed by the provisions of the Maine Insurance Code, Title 24-A, except where such provisions are in conflict with the express provisions of this chapter and the reasonable implications thereof, in which case the provisions of this chapter shall govern.'

Further amend the bill in section 5 in that part designated "§254." 3rd line, (same in LD) by striking out the underlined word "chapter" and inserting in its place the underlined word 'Act'

Further amend the bill in section 5 by striking out all of that part designated "§269." and inserting in its place the following:

'§269. Reimbursements

The fund shall annually reimburse the Treasurer of State for services performed as custodian of the moneys of the fund. Reimbursement received by the Treasurer of ^{State} / under this section shall be dedicated to carrying out the Treasurer of State's duties under section 258.'

Further amend the bill in section 5, in that part designated "§283." by striking out subsection 4 and inserting in its place the following:

'4. Reinsure. Reinsure any risk or any part thereof, and shall reinsure against specific and excess losses;'

Further amend the bill in section 5, in that part designated "§283." by inserting at the end the following underlined paragraph:

'No insurance policy authorized under this chapter may be issued prior to January 1, 1983.'

Further amend the bill in section 5 by striking out all of that part designated "§284." and inserting in its place the following:

'§284. Declaration of public purpose

It is declared that the Workers' Compensation Insurance Fund Board is established as a body corporate and politic and a public instrumentality of the State. It is further declared that the establishment of the fund is a public purpose and use for which public money may be spent and private property acquired and that its establishment is a function of state concern; provided that the debts and liabilities of the fund shall not constitute debts and liabilities of the State.'

Further amend the bill by striking out all of section 7.

Statement of Fact

The purposes of this amendment are:

1. To make clear that the fund is to be governed in general
Maine
by the/Insurance Code;
2. To avoid legal questions concerning the state's pledge
of faith and credit and to insure that / aggregate excess losses
are covered
by reinsurance;
3. To remove the special effective date provision; and
4. To make minor technical corrections in the bill.

Filed by Mr. Brannigan of Portland.
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