

MAINE STATE LEGISLATURE

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1 (EMERGENCY)
2 (After Deadline)

3 SECOND REGULAR SESSION
4

5 ONE HUNDRED AND ELEVENTH LEGISLATURE
6

7 Legislative Document

No. 2470

8
9 H.P. 1868

House of Representatives, April 13, 1984

10 Reference to the Committee on State Government is suggested and
11 ordered printed.

12 Approved for introduction by a majority of the Legislative Council
pursuant to Joint Rule 27.

EDWIN H. PERT, Clerk

Presented by Representative Gwadosky of Fairfield.

13 Cosponsors: Senator Violette of Aroostook and Senator Collins of Knox.

14 STATE OF MAINE
15

16 IN THE YEAR OF OUR LORD
17 NINETEEN HUNDRED AND EIGHTY-FOUR
18

19 RESOLVE, to Amend the Law Concerning
20 Authorization for the Public Advocate to
21 Intervene in Workers' Compensation Proceedings
22 Before the Superintendent of Insurance.
23

24 **Emergency preamble.** Whereas, Acts and resolves
25 of the Legislature do not become effective until 90
26 days after adjournment unless enacted as emergencies;
27 and

28 Whereas, the Legislature enacted a Resolve to au-
29 thorize the Public Advocate to intervene as a party
30 in all proceedings before the Superintendent of In-
31 surance with respect to the workers' compensation
32 rate filing submitted by the National Council on Com-
33 pensation Insurance on December 28, 1983; and

34 Whereas, the Public Advocate has presented a
35 motion to the Superintendent of Insurance to dismiss

1 the current workers' compensation rate filing because
2 of the submission of insufficient evidence at the
3 time of the filing; and

4 Whereas, dismissal of the current workers' com-
5 pensation rate filing before the superintendent with-
6 out any determination on the substantive matter in
7 the filing would allow the submission of a new work-
8 ers' compensation rate filing; and

9 Whereas, it is the intent of the Legislature, to
10 supplement the limited resources of the business and
11 labor sectors with the expertise and resources of the
12 Public Advocate to analyze the substantive data of a
13 workers' compensation rate filing which could occur
14 as soon as July 1, 1984; and

15 Whereas, in the judgment of the Legislature,
16 these facts create an emergency within the meaning of
17 the Constitution of Maine and require the following
18 legislation as immediately necessary for the preser-
19 vation of the public peace, health and safety; now,
20 therefore, be it

21 **Sec. 1. Resolved:** That Resolve 1983, c. 48, §1,
22 is amended by adding after the first sentence a new
23 sentence to read:

24 In the event that the Superintendent of Insurance
25 dismisses the workers' compensation rate filing sub-
26 mitted by the National Council on Compensation Insur-
27 ance on December 28, 1983, prior to the conclusion of
28 a public hearing as required by the Revised Statutes,
29 Title 39, section 22-B, or in the event that the De-
30 cember 28, 1983 rate filing is withdrawn prior to the
31 issuance of a decision by the Superintendent of In-
32 surance, the Office of the Public Advocate is autho-
33 rized and directed to intervene as a party in all
34 proceedings before the Superintendent of Insurance
35 with respect to the next workers' compensation rate
36 filing with the Superintendent of Insurance; and be
37 it further

38 **Sec. 2. Resolved:** That Resolve, 1983, c. 48,
39 §5, last paragraphis repealed and the following en-
40 acted in its place:

