

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 642

H.P. 475 House of Representatives, March 5, 1987  
Reference to the Committee on Banking and Insurance  
suggested and ordered printed.

EDWIN H. PERT, Clerk  
Presented by Representative FOSS of Yarmouth.

Cosponsored by Representatives ARMSTRONG of Wilton,  
GARLAND of Bangor and Senator COLLINS of Aroostook.

STATE OF MAINE

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 AN ACT Concerning the Workers' Compensation  
2 Rate-setting Authority of the  
3 Superintendent of Insurance.  
4

5 Be it enacted by the People of the State of Maine as  
6 follows:

7 Sec. 1. 24-A MRSA §2355, as enacted by PL 1985,  
8 c. 372, Pt. B, §5, is repealed.

9 Sec. 2. 24-A MRSA §2357, as amended by PL 1985,  
10 c. 431, §1, is further amended to read:

11 §2357. Nonseverability

12 In the event that any portion of this subchapter,  
13 ~~except section 2355, subsection 2 and 6,~~ is held  
14 invalid, it is the intent of the Legislature that

1 this entire subchapter, except section 2355 and this  
2 section, is invalidated and the provisions of Title  
3 39, section 22-C, subsection 13 and section 22-D are  
4 also invalidated. In the event that section 2355,  
5 subsection 2, is held invalid, it is the intent of  
6 the Legislature that this entire subchapter and the  
7 provisions of Title 39, section 22-C, subsection 13,  
8 sections 22-D, 53-A, 54-A, 55-A, 58-A and 62-B, sec-  
9 tion 94-A, subsection 3, section 110, subsection 2,  
10 and section 112-A are also invalidated, provided that  
11 the effective date of the invalidation of sections  
12 53-A, 54-A, 55-A, 58-A and 62-B, section 94-A, sub-  
13 section 3, section 110, subsection 2, and section  
14 112-A shall be 60 days after the date of a court de-  
15 cision effectively invalidating section 2355 if the  
16 Legislature is in regular session on the date of that  
17 court decision, or, if the Legislature is not in  
18 regular session on that date, 60 days after the date  
19 of the convening of the next regular session.

20 STATEMENT OF FACT

21 This bill removes provisions which set maximum  
22 rates for workers' compensation and returns the en-  
23 tire rate-making process to the Superintendent of In-  
24 surance. The standards which the superintendent must  
25 use in approving or disapproving rates remain in the  
26 law.

27 This bill also removes the requirement that the  
28 superintendent report to the Legislature by May 1,  
29 1987, regarding savings realized by other amendments  
30 which related to the purpose of the Maine Revised  
31 Statutes, Title 24-A, section 2355.

32 References to Title 24-A, section 2355, are re-  
33 moved from Title 24-A, section 2357, in section 2 of  
34 the bill.

35 0474021387