

MAINE STATE LEGISLATURE

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(Emergency)
(After Deadline)
SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 2556

S.P. 964 In Senate, March 21, 1988
Approved for Introduction by a Majority of the Legislative
Council pursuant to Joint Rule 27.

Referred to the Committee on Banking and Insurance and
ordered printed. Sent down for concurrence.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator THERIAULT of Aroostook.

Cosponsored by Representative RYDELL of Brunswick.

STATE OF MAINE

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

1 **AN ACT to Authorize the Maine**
2 **Self-Insurance Guaranty Association to Act as a**
3 **Statistical Advisory Organization.**
4

5 **Emergency preamble.** Whereas, Acts of the
6 Legislature do not become effective until 90 days
7 after adjournment unless enacted as emergencies; and

8 Whereas, it is vitally important for self-insurers

1 to be able to report data to the Superintendent of
2 Insurance in accordance with the Maine Revised
3 Statutes, Title 24-A, section 2371; and

4 Whereas, the statistical gathering function needed
5 to be able to report data to the superintendent must
6 commence immediately in order to meet the reporting
7 deadlines; and

8 Whereas, in the judgment of the Legislature, these
9 facts create an emergency within the meaning of the
10 Constitution of Maine and require the following
11 legislation as immediately necessary for the
12 preservation of the public peace, health and safety;
13 now, therefore,

14 Be it enacted by the People of the State of Maine as
15 follows:

16 39 MRSA §23-A, sub-§14 is enacted to read:

17 14. Statistical advisory organization. The
18 association is authorized to act as the statistical
19 advisory organization designated by the Superintendent
20 of Insurance to collect and report data for
21 self-insurers in accordance with Title 24-A, section
22 2371. All individual and group self-insurers shall be
23 subject to this subsection as a condition of authority
24 to self-insure in this State. The association is
25 authorized to amend its plan of operation adopted
26 pursuant to subsection 5 or to adopt a separate plan
27 of operation to further the purposes of this
28 subsection. The amendment or plan shall provide for
29 an equitable method of distributing the reasonable and
30 necessary costs of performing the data collection and
31 reporting functions required by law and rules adopted
32 by the superintendent, which method may include the
33 assessment of all individual and group self-insurers,
34 the assessment of nonmember self-insurers, the use of
35 other funds available to the association or some
36 combination of the foregoing methods. Any assessment
37 shall be made equitably and may be done on the basis
38 of claims paid, the annual standard premium as set
39 forth in subsection 4 or any other basis approved by
40 the association. For purposes of this subsection,

1 nonmember self-insurers shall comply with the
2 association's plan of operation.

3 Emergency clause. In view of the emergency
4 cited in the preamble, this Act shall take effect when
5 approved.

6 STATEMENT OF FACT

7 The purpose of this bill is to provide for the
8 collection of statistics from self-insurers required
9 by the workers' compensation reform legislation
10 adopted in 1987.

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