

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 836

H.P. 585

House of Representatives, February 26, 1991

Reference to the Committee on Banking and Insurance suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

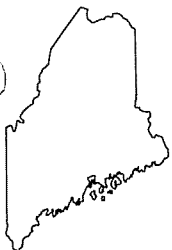
EDWIN H. PERT, Clerk

Presented by Representative McHENRY of Madawaska.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

An Act Concerning Workers' Compensation Self-insurance.



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

2
39 MRSA §23, sub-§12 is enacted to read:

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5 12. Exclusions from self-insurance. Notwithstanding any
6 other provision of law, an employer may not self-insure
7 individually or as part of a group and must insure under a
8 workers' compensation insurance policy if:

10 A. The employer is found to have 3 violations of any
11 applicable federal or state occupational health and safety
12 law, rule or regulation within the last 12 months; or

14 B. The employer has experienced an accident resulting in
15 death to an employee within the last 12 months.

16 An employer that is ineligible for individual or group
17 self-insurance pursuant to this subsection regains eligibility
18 for self-insurance after one year with no violations of any
19 applicable federal or state occupational health and safety law,
20 rule or regulation and no accidents causing death to an employee.
21

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23
24 **STATEMENT OF FACT**

25
26
27 This bill excludes from self-insurance employers that are
28 not safe employers. Employers that have 3 state or federal
29 health and safety law, rule or regulation violations or an
30 accident causing death to an employee within the last 12 months
31 are ineligible for self-insurance. Eligibility is restored after
32 one year with no violations and no accidents causing death to an
33 employee.
34