

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1991

Legislative Document

No. 1966

H.P. 1378

House of Representatives, June 29, 1991

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

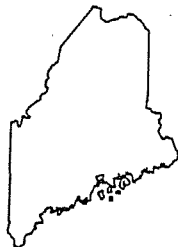
Presented by Representative MITCHELL of Vassalboro.

STATE OF MAINE

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

**RESOLUTION, Proposing an Amendment to the Constitution of Maine  
to Limit the Expenditure of the Funds of a Public Mutual Insurance  
Company Created by the State to Provide Workers' Compensation  
Insurance to Employers in this State.**

(AFTER DEADLINE)



2 Constitutional amendment. **RESOLVED:** Two thirds of each  
3 branch of the Legislature concurring, that the following  
4 amendment to the Constitution of Maine be proposed:

5 **Constitution, Art. IX, §21** is enacted to read:

6 **Section 21. Public mutual insurance company.** All of the  
7 assets and proceeds or income of any public mutual insurance  
8 company established by the State to provide workers' compensation  
9 insurance coverage to employers in this State, or any successor  
10 company, and all premiums paid to the company and reserves or  
11 surplus held by the company must be held, invested or disbursed  
12 exclusively by the company and may not be encumbered for, or  
13 diverted to, any other purpose.

14 ; and be it further

15  
16  
17 **Constitutional referendum procedure; form of question; effective**  
18 **date. Resolved:** That the municipal officers of this State shall  
19 notify the inhabitants of their respective cities, towns and  
20 plantations to meet, in the manner prescribed by law for holding  
21 a statewide election, at a statewide election, on the Tuesday  
22 following the first Monday of November following the passage of  
23 this resolution, to vote upon the ratification of the amendment  
24 proposed in this resolution by voting upon the following question:

25 "Shall the Constitution of Maine be amended to prevent the  
26 expenditure of the funds of a public mutual insurance  
27 company created by the State to provide workers'  
28 compensation insurance to employers in this State for any  
29 purpose other than for the purposes of that public mutual  
30 insurance company?"  
31

32  
33 The legal voters of each city, town and plantation shall  
34 vote by ballot on this question, and shall designate their choice  
35 by a cross or check mark placed within the corresponding square  
36 below the word "Yes" or "No." The ballots must be received,  
37 sorted, counted and declared in open ward, town and plantation  
38 meetings and returns made to the Secretary of State in the same  
39 manner as votes for members of the Legislature. The Governor  
40 shall review the returns and, if it appears that a majority of  
41 the legal votes are in favor of the amendment, the Governor  
42 proclaims that fact without delay and the amendment becomes part  
43 of the Constitution on the date of the proclamation; and be it  
44 further

45  
46 **Secretary of State shall prepare ballots. Resolved:** That the  
47 Secretary of State shall prepare and furnish to each city, town  
48 and plantation all ballots, returns and copies of this resolution  
49 necessary to carry out the purposes of this referendum.  
50

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## STATEMENT OF FACT

4

This resolution is part of the majority report of the Joint Standing Committee on Banking and Insurance and the Joint Standing Committee on Labor on workers' compensation reform.

8

This resolution proposes an amendment to the Constitution of Maine to prevent the expenditure of the funds of a public mutual insurance company created by the State to provide workers' compensation insurance to employers in this State for any purpose other than the purposes of that public mutual insurance company.

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