

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
115TH LEGISLATURE
SECOND REGULAR SESSION

HOUSE AMENDMENT "A" to H.P. 1775, L.D. 2457, Bill, "An Act to Delay the Workers' Compensation Rate Increase"

Amend the bill by striking out all of the 2nd paragraph after the title and inserting in its place the following:

'Whereas, there is currently pending before the Superintendent of Insurance a filing seeking increases in workers' compensation rates and surcharges on which a decision is required to be issued under applicable laws by June 1st; and'

Further amend the bill in the 4th paragraph after the title in the 4th line (page 1, line 18 in L.D.) by inserting after the following: "for the" the following: 'rates and'

Further amend the bill by striking out all of sections 1 and 2 and inserting in its place the following:

'Sec. 1. Workers' Compensation Act changes; rate effect. For purposes of the proceeding pending before the Superintendent of Insurance on the effective date of this section to establish rate increases and surcharges for workers' compensation premiums making the determinations required under the Maine Revised Statutes, Title 24-A, section 2363, subsection 11 and section 2367, the date for the decision is extended to November 15, 1992. The date is extended in order to allow the Superintendent of Insurance to conduct a proceeding for the limited purpose of determining the effect of amendments enacted by the Second Regular Session or a subsequent special session of the 115th Legislature to Title 39 on workers' compensation insurance rates and to take those findings into account in establishing

2 surcharges, if any, in connection with the pending rate filing.
3 The Superintendent of Insurance may not issue a decision
4 regarding rates and surcharges under Title 24-A, section 2363,
5 subsection 11 and section 2367 in the pending proceeding until
6 the Superintendent of Insurance has evaluated the effect of these
7 changes on the workers' compensation rates and incorporated those
8 findings in the superintendent's decision.

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10 The Superintendent of Insurance shall order the filing of
11 information necessary to determine the effect on rates and
12 surcharges of these changes to the workers' compensation
13 insurance laws and shall conduct a hearing within 30 days after
14 the filing is made. Evidence and argument must be limited to
15 matters relevant to evaluation of the effect of these changes on
16 rates and surcharges. The time limitations of Title 24-A,
17 section 2363, subsections 3, 6, 11 and 12 do not apply. Any
18 proceeding held pursuant to this Act is considered a filing for a
19 rate change under the terms of Title 24-A, section 2363,
20 subsection 9, paragraph B. Any rates and surcharges established
21 by the decision of the Superintendent of Insurance in the pending
22 proceeding and the valuation change are effective beginning July
23 1, 1992.

24 This section does not apply to any rate proceeding commenced
25 on or after November 15, 1992.'

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STATEMENT OF FACT

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30 This amendment adds to the delay in workers' compensation
31 rates the decision of the Superintendent of Insurance on the
32 pending rate case.

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Filed by Rep. Mitchell of Vassalboro
Reproduced and distributed under the direction of the Clerk of the
House
3/29/92 (Filing No. H-1326)