

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

SECOND REGULAR SESSION-1992

Legislative Document

No. 2457

H.P. 1775

House of Representatives, March 29, 1992

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.

Cosponsored by Senator KANY of Kennebec, President PRAY of Penobscot and Representative MAYO of Thomaston.

STATE OF MAINE

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

An Act to Delay the Workers' Compensation Rate Increase.

(AFTER DEADLINE)

(EMERGENCY)



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

4
6 Whereas, there is currently pending before the
Superintendent of Insurance a filing seeking workers'
8 compensation surcharges on which a decision is required to be
issued under applicable laws by June 1st; and

10 Whereas, the Legislature has passed a resolve creating the
12 Blue Ribbon Commission to Examine Alternatives to the Workers'
Compensation System to make recommendations concerning
14 replacement of the present system; and

16 Whereas, the Legislature may take action that will cause
substantial changes to the Workers' Compensation Act, Maine
18 Revised Statutes, Title 39 that will have a direct and immediate
effect on the appropriate amounts for the surcharges, but these
20 effects can not be taken into account under current applicable
law in the pending rate case and can not be taken into account in
approved rates before 1993; and

22 Whereas, in the judgment of the Legislature, these facts
24 create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
26 necessary for the preservation of the public peace, health and
safety; now, therefore,

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

30 **Sec. 1. Workers' Compensation Act changes; rate effect.** For
32 purposes of the proceeding pending before the Superintendent of
Insurance on the effective date of this section to establish
34 surcharges for workers' compensation premiums making the
determinations required under Title 24-A, section 2367 is
36 extended to November 15, 1992. The date is extended in order to
allow the Superintendent of Insurance to conduct a proceeding for
38 the limited purpose of determining the effect of amendments
enacted by the Second Regular Session or a subsequent special
40 session of the 115th Legislature to the Maine Revised Statutes,
Title 39, on workers' compensation insurance rates and to take
42 those findings into account in establishing surcharges, if any,
in connection with the pending rate filing. The Superintendent
44 of Insurance may not issue a decision regarding surcharges under
Title 24-A, section 2367 in the pending proceeding until the
46 Superintendent of Insurance has evaluated the effect of these
changes on the workers' compensation rates and incorporated those
48 findings in the superintendent's decision.

2 This bill does not apply to any rate proceeding commenced on
or after November 15, 1992 and is repealed on that date.
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