MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

H.P. 224

Legislative Document

House of Representatives, January 27, 1995

No. 302

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Safeguard the Assets of the Competitive Workers' Compensation Fund.

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

OSEPH W. MAYO, Clerk

Presented by Representative TUTTLE of Sanford.

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

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Constitution, Art. IX, §24 is enacted to read:

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Section 24. Public mutual insurance company. All of the assets and proceeds or income of any public mutual insurance company established by the State to provide workers' compensation insurance coverage to employers in this State, or any successor company, and all premiums paid to the company and reserves or surplus held by the company must be held, invested or disbursed exclusively by the company and may not be encumbered for, or diverted to, any other purpose.

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; and be it further

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

proposed in this resolution by voting upon the following question:

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"Do you favor amending 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 for the purposes of that public mutual insurance company?"

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

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Secretary of State shall prepare ballots. Resolved: That the Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this resolution necessary to carry out the purpose of this referendum.

STATEMENT OF FACT

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This resolution proposes an amendment to the Constitution of Maine to safeguard the assets of the Competitive Workers' Compensation Fund, requiring that the assets of the fund be used solely for the purposes for which the fund was established. This constitutional resolution is one of 3 pieces of legislation needed to set up the Competitive Workers' Compensation Fund. The first is a bill that establishes the fund. The 2nd is a bill to authorize a bond issue of \$10,000,000 to capitalize the fund.

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