

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 426

S.P. 147

In Senate, January 23, 1997

An Act to Amend the Employee Leasing Company Registration Process.

Submitted by the Department of Labor pursuant to Joint Rule 204.
Reference to the Committee on Business and Economic Development suggested and
ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator CATHCART of Penobscot.
Cosponsored by Representative: HATCH of Skowhegan.

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

2
3 Sec. 1. 32 MRSA §14053, as amended by PL 1995, c. 618, §20,
4 is further amended to read:

6 §14053. Registration process

8 1. **Statement.** Except as otherwise provided in this
9 section, each employee leasing company required to be registered
10 under section 14052 shall provide the ~~commissioner~~ superintendent
11 with information required by the ~~commissioner~~ superintendent on
12 forms that the ~~commissioner~~ superintendent specifies. At a
13 minimum, employee leasing companies shall provide the following
14 information:

16 A. The name or names under which the registrant conducts
17 business;

18 B. The address of the principal place of business of the
19 employee leasing company and the address of each office it
20 maintains in this State;

22 C. The employee leasing company's taxpayer or employer
23 identification number;

26 D. A list by jurisdiction of each name under which the
27 employee leasing company has operated in the preceding 5
28 years, including any alternative names, names of
29 predecessors and, if known, successor business entities;

30 E. A list of all persons or entities that own a 5% or
31 greater interest in the employee leasing company at the time
32 of application and a list of persons who formerly owned a 5%
33 or greater interest in the employee leasing company or its
34 predecessors in the preceding 5 years; and

36 F. A list of the cancellations or nonrenewals of workers'
37 compensation insurance issued to the employee leasing
38 company or its predecessors in the preceding 5 years. The
39 list must include the policy or certificate numbers, names
40 of insurers or other providers of coverage, dates of
41 cancellation and reasons for cancellation. If coverage has
42 not been canceled or has been renewed, the registration must
43 include a sworn affidavit signed by the chief executive
44 officer of the employee leasing company attesting to that
45 fact.

48 2. **Renewal.** Prior to January 31st of each year or any
49 other time fixed by the ~~commissioner~~ superintendent, each
50 registrant shall renew its registration by notifying the

2 commissioner superintendent of any changes in the information
previously provided pursuant to this section.

4 3. **List.** The commissioner superintendent shall maintain a
list of employee leasing companies registered under this chapter.

6 4. **Forms.** The commissioner superintendent may prescribe
8 forms necessary to promote the efficient administration of this
section.

10 **Sec. 2. 32 MRSA §14055, sub-§5**, as amended by PL 1995, c. 618,
12 §22, is further amended to read:

14 5. **Disclosure.** The employee leasing company shall disclose
to client companies services to be rendered, including costs, and
16 the respective rights and obligations of the parties prior to
entering into or receiving a leasing arrangement. This
18 disclosure must include a statement that the client company may
take complaints to the ~~Department-of-Labor~~ Bureau of Insurance.

20
22 **SUMMARY**

24 This bill makes technical corrections to the employee
leasing laws enacted in the Second Regular Session of the 117th
26 Legislature. The intent of those laws was to have the
registration performed at the Department of Professional and
28 Financial Regulation, not the Department of Labor.