

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 598, L.D. 838, Bill, "An Act to Provide a Paralegal Assistant to Each Workers' Compensation Advocate"

Amend the bill by striking out the title and substituting the following:

'An Act to Provide Paralegal Assistants to the Workers' Compensation Advocate Program and an Auditor to the Monitoring, Auditing and Enforcement Program'

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

'Sec. 1. 39-A MRSA §154, sub-§6, as amended by PL 1997, c. 486, §5, is further amended to read:

6. **Assessment levied.** The assessments levied under this section may not be designed to produce more than \$6,000,000 in revenues annually beginning in the 1995-96 fiscal year ~~or~~ more than \$6,600,000 annually beginning in the 1997-98 fiscal year or more than \$6,735,000 beginning in the 1999-00 fiscal year. Assessments collected that exceed \$6,000,000 beginning in the 1995-96 fiscal year ~~or~~ \$6,600,000 beginning in the 1997-98 fiscal year or \$6,735,000 beginning in the 1999-00 fiscal year by a margin of more than 10% must be refunded to those who paid the assessment. Any amount collected above the board's allocated budget and within the 10% margin must be used to create a reserve of up to 1/4 of the board's annual budget. Any collected amounts or savings above the allowed reserve must be used to reduce the assessment for the following fiscal year. The board shall determine the assessments prior to May 1st and shall assess each insurance company or association and self-insured employer its

COMMITTEE AMENDMENT

pro rata share for expenditures during the fiscal year beginning July 1st. Each self-insured employer shall pay the assessment on or before June 1st. Each insurance company or association shall pay the assessment in accordance with subsection 3.

Sec. 2. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Act.

	1999-00	2000-01
WORKERS' COMPENSATION BOARD		
Administration - Workers' Compensation Board		
Positions - Legislative Count	(3,000)	(3,000)
Personal Services	\$77,894	\$108,530
All Other	15,075	16,350
Provides funds for the salary, fringe benefits, general operating and initial start-up costs to establish one Auditor I position and 2 Paralegal Assistant positions.		
WORKERS' COMPENSATION BOARD TOTAL	\$92,969	\$124,880'

Further amend the bill by inserting at the end before the summary the following:

FISCAL NOTE

	1999-00	2000-01
APPROPRIATIONS/ALLOCATIONS		
Other Funds	\$92,969	\$124,880
REVENUES		
Other Funds	\$135,000	\$135,000

This bill includes Other Special Revenue funds allocations of \$92,969 and \$124,880 in fiscal years 1999-00 and 2000-01,

2 respectively, for the Workers' Compensation Board for the salary,
benefits, operating and start-up costs of 2 Paralegal Assistant
4 positions and one Auditor II position.

6 Increasing the assessment limit of the board will result in
additional dedicated revenue of as much as \$135,000 annually
8 beginning in fiscal year 1999-00.'

10 **SUMMARY**

12 This amendment replaces the bill. It provides for the
addition of one auditor and 2 paralegal assistant positions to
14 the Workers' Compensation Board, instead of providing for 9
paralegal positions. It also provides for a cap of \$6,735,000 on
16 the assessments against insurers and self-insurers instead of
\$7,000,000, as provided in the bill. Finally, the amendment
18 replaces the allocation section and adds a fiscal note to the
bill.