

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

SECOND REGULAR SESSION-2002

Legislative Document

No. 2051

H.P. 1548

House of Representatives, January 8, 2002

An Act to Increase the Workers' Compensation Insurance Assessment to Fund a Hearing Officer Position.

Reported by Representative BUNKER for the Workers' Compensation Board pursuant to the Maine Revised Statutes, Title 39-A, section 152, subsection 11.

Reference to the Joint Standing Committee on Labor suggested and printing ordered under Joint Rule 218.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

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

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Sec. 1. 39-A MRSA §154, sub-§6, as amended by PL 2001, c. 393,
4 §1, is further amended to read:

6 **6. Assessment levied.** The assessments levied under this
7 section may not be designed to produce more than \$6,000,000 in
8 revenues annually beginning in the 1995-96 fiscal year, more than
9 \$6,600,000 annually beginning in the 1997-98 fiscal year ~~or~~ more
10 than \$6,735,000 beginning in the 1999-00 fiscal year, ~~except that~~
11 ~~in the 2001-02 fiscal year the assessment may not be designed to~~
12 ~~produce~~ more than \$7,035,000 in the 2001-02 fiscal year or more
13 than \$6,860,000 beginning in the 2002-03 fiscal year.
14 Assessments collected that exceed \$6,000,000 beginning in the
15 1995-96 fiscal year, \$6,600,000 beginning in the 1997-98 fiscal
16 year ~~or~~ \$6,735,000 beginning in the 1999-00 fiscal year ~~or~~
17 \$7,035,000 in fiscal year 2001-02 or \$6,860,000 beginning in the
18 2002-03 fiscal year by a margin of more than 10% must be refunded
19 to those who paid the assessment. Any amount collected above the
20 board's allocated budget and within the 10% margin must be used
21 to create a reserve of up to 1/4 of the board's annual budget.
22 Any collected amounts or savings above the allowed reserve must
23 be used to reduce the assessment for the following fiscal year.
24 The board shall determine the assessments prior to May 1st and
25 shall assess each insurance company or association and
26 self-insured employer its pro rata share for expenditures during
27 the fiscal year beginning July 1st. Each self-insured employer
28 shall pay the assessment on or before June 1st. Each insurance
29 company or association shall pay the assessment in accordance
30 with subsection 3.

32 **Sec. 2. Use of funds.** Notwithstanding Private and Special Law
33 2001, chapter 24, the increase to the assessment on workers'
34 compensation insurance established in section 1 of this Act may
35 be used to fund the full-time administrative hearing officer
36 position in the Caribou office of the Workers' Compensation Board.

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SUMMARY

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Private and Special Law 2001, chapter 24 requires that the
41 Workers' Compensation Board place a full-time hearing officer in
42 Caribou. This bill increases the assessment on workers'
43 compensation insurance by an amount sufficient to fund the
44 hearing officer position and specifically authorizes use of those
funds for that purpose.