

# MAINE STATE LEGISLATURE

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# 124th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2009

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**Legislative Document**

**No. 176**

S.P. 62

January 21, 2009

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**An Act To Equitably Adjust the Workers' Compensation Board's  
Assessment**

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Submitted by the Workers' Compensation Board pursuant to Joint Rule 204.  
Reference to the Committee on Labor 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 BARTLETT of Cumberland.  
Cosponsored by Representative TUTTLE of Sanford and  
Senators: GERZOFSKY of Cumberland, JACKSON of Aroostook, MILLS of Somerset,  
President MITCHELL of Kennebec, Representatives: CLARK of Millinocket, DRISCOLL of  
Westbrook, WATSON of Bath.

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

2 **Sec. 1. 39-A MRSA §154, sub-§6, ¶A,** as enacted by PL 2007, c. 240, Pt. LL,  
3 §1, is amended to read:

4 A. The assessments levied under this section may not be designed to produce more  
5 than ~~\$6,000,000 in revenues annually beginning in the 1995-96 fiscal year, more than~~  
6 ~~\$6,600,000 annually beginning in the 1997-98 fiscal year, more than \$6,735,000~~  
7 ~~beginning in the 1999-00 fiscal year, more than \$7,035,000 in the 2001-02 fiscal~~  
8 ~~year, more than \$6,860,000 beginning in the 2002-03 fiscal year, more than~~  
9 ~~\$8,390,000 beginning in the 2003-04 fiscal year, more than \$8,565,000 beginning in~~  
10 ~~the 2004-05 fiscal year, more than \$8,525,000 beginning in the 2005-06 fiscal year,~~  
11 ~~more than \$9,820,178 beginning in the 2007-08 fiscal year, more than \$10,000,000~~  
12 ~~beginning in the 2008-09 fiscal year, more than \$10,400,000 beginning in the 2009-~~  
13 ~~10 fiscal year, more than \$10,800,000 beginning in the 2010-11 fiscal year or more~~  
14 ~~than \$11,200,000 beginning in the 2011-12 fiscal year. Assessments collected that~~  
15 ~~exceed \$6,000,000 beginning in the 1995-96 fiscal year, \$6,600,000 beginning in the~~  
16 ~~1997-98 fiscal year, \$6,735,000 beginning in the 1999-00 fiscal year, \$7,035,000 in~~  
17 ~~fiscal year 2001-02, \$6,860,000 beginning in the 2002-03 fiscal year, \$8,390,000~~  
18 ~~beginning in the 2003-04 fiscal year, \$8,565,000 beginning in the 2004-05 fiscal~~  
19 ~~year, \$8,525,000 beginning in the 2005-06 fiscal year, \$9,820,178 beginning in the~~  
20 ~~2007-08 fiscal year, \$10,000,000 beginning in the 2008-09 fiscal year, \$10,400,000~~  
21 ~~beginning in the 2009-10 fiscal year, \$10,800,000 beginning in the 2010-11 fiscal~~  
22 ~~year or \$11,200,000 beginning in the 2011-12 fiscal year~~ the applicable limit by a  
23 margin of more than 10% must be ~~refunded to those who paid~~ used to reduce the  
24 assessment that is paid by insured employers pursuant to subsection 3. Any amount  
25 collected above the board's allocated budget and within the 10% margin must be used  
26 to create a reserve of up to 1/4 of the board's annual budget.

27 **Sec. 2. Retroactivity.** This Act applies retroactively to July 1, 2005.

28 **SUMMARY**

29 This bill requires the Workers' Compensation Board to use collections that exceed the  
30 maximum assessment by more than 10% to reduce the assessment on insured employers.