

MAINE STATE LEGISLATURE

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EIGHTY - SEVENTH LEGISLATURE

Legislative Document

No. 481

S. P. 445

In Senate, February 12, 1935.

Referred to Committee on Judiciary, sent down for concurrence and 500 copies ordered printed.

ROYDEN V. BROWN, Secretary.

Presented by Senator Fernald of Waldo.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-FIVE

AN ACT Relating to Workmen's Compensation.

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

R. S., c. 55, amended. Chapter 55 of the revised statutes is hereby amended by adding thereto the following new section to be numbered section 5-A:

‘Sec. 5-A. Employers may become assenting employers by paying premiums to the state. I. Any employer desiring to become an assenting employer as herein provided may file with the commission his written assent in such form as the commission approves and pay to the commission such premium as the commission determines.

II. The commission may require payment of further premium by any employer in case of mistake or changed conditions, or in case it shall be necessary for the purpose of meeting claims for compensation according to the terms hereof. Any employer who assents to this act and pays premiums to the industrial accident fund as provided by the 1st paragraph of this section, shall be held to have promised to make such further payment. In case the premium collected shall be more than is necessary to satisfy claims for compensation hereunder, the commission may in its discretion order a rebate to employers who have paid such excessive premiums. The addi-

tional premium to be paid by any employer, as provided in this paragraph, may be recovered by the commission in an action of debt, in behalf of the state, for the benefit of the industrial accident fund.

III. There is hereby created a fund to be known as the industrial accident fund, which shall be held by the treasurer of state and be by him deposited in such banks or otherwise, as may be authorized by the laws of the state. All moneys received by the commission shall be paid over forthwith to the treasurer of state and become a part of the industrial accident fund.

The treasurer of state shall set apart the sum of \$25,000, which shall become a part of the fund. The sum so set apart shall be repaid to the state out of the fund in 5 equal annual installments, with interest at $3\frac{1}{2}\%$, per year, payable annually.

The treasurer of state, with the approval of the governor, is authorized to invest such fund, or any part thereof, in any securities which are a legal investment for savings banks under the laws of the state of Maine, and with such approval may sell such securities and apply the proceeds to meet current disbursements as provided hereby.

Payments from such fund shall be made as follows:

At each regular meeting of the governor and council the commission shall present an estimate of the amount necessary to pay compensation to become payable before the regular meeting of the governor and council, to be held in the next following month.

Whereupon the governor and council shall issue its warrant for such amount, payable to the industrial accident commission. Such estimates and warrants shall specify separately the amounts to be paid from segregated and unsegregated moneys.

The sums received upon such warrants shall be disbursed by the commission to employees entitled thereto, under this act and shall be accounted for on a monthly account current, to be filed with the state controller. Any unused balance shall be covered into the state treasury whenever directed by the governor and shall become a part of the industrial accident fund.

The treasurer of state shall set apart such part of the funds as is necessary to be segregated under the provisions of this section, and shall keep a separate account of segregated and unsegregated moneys, crediting each with its increment and charging it with the disbursements made on account of it.

IV. In all legal proceedings herein authorized to be brought by the commissioner the attorney general shall represent the state.'