

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND TWELFTH LEGISLATURE

**SECOND REGULAR SESSION**  
January 8, 1986 to April 16, 1986

**SECOND SPECIAL SESSION**  
May 28, 1986 to May 30, 1986

AND AT THE

**THIRD SPECIAL SESSION**  
October 17, 1986

PUBLISHED BY THE DIRECTOR OF REVISOR OF STATUTES IN  
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.

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J.S. McCarthy Co., Inc.  
Augusta, Maine

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
SECOND REGULAR SESSION  
of the  
ONE HUNDRED AND TWELFTH LEGISLATURE  
1985

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killer-type trap, except water sets, so called, or fails to cause the same to be visited at least once in every 7 calendar days.

Sec. 9. 12 MRSA §7455, first ¶, as amended by PL 1985, c. 369, §19, is further amended to read:

The open season on hunting partridge shall not extend any later than November 30th in any calendar year in Wildlife Management Units 1, and 2, 3, 4 and 5, nor any later than December 10th in any calendar year in Wildlife Management Units 3, 4, 5, 6, 7 and 8, except as provided in subsection 1.

Effective July 16, 1986.

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## CHAPTER 719

H.P. 1598 - L.D. 2251

### AN ACT to Prohibit Mandatory Retrospective Rating in Workers' Compensation Insurance Policies.

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

Sec. 1. 24-A MRSA §2343, sub-§2, as enacted by PL 1985, c. 372, Pt. B, §5, is amended to read:

2. Retrospective premium adjustments. Insurers may file rating plans that provide for retrospective premium adjustments based on an insured's past experience.

In both the voluntary market and the residual market, retrospective rating plans shall be voluntary and at the option of the insured. No rating organization or insurer may require the utilization of a retrospective rating plan without the prior consent of the insured.

Sec. 2. 24-A MRSA §2350, sub-§1, ¶E, as enacted by PL 1985, c. 372, Pt. B, §5, is amended to read:

E. An employer is eligible for insurance from the Accident Prevention Account if:

- (1) He has a loss ratio greater than 1.00 over the last 3 years for which data is available; and

(2) He has attempted to obtain insurance in the voluntary market and has been refused by at least 2 insurers which write that insurance in this State. For the purpose of this section, an employer shall be considered to have been refused if he has been offered insurance only under a retrospective rating plan or plans.

Effective July 16, 1986.

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## CHAPTER 720

H.P. 1676 - L.D. 2362

### AN ACT to Authorize the Payment of Retention and Recruitment Stipends in State Government.

**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, there are many job classifications within State Government for which there are recruitment and retention problems; and

Whereas, some of these recruitment and retention problems are the result of labor market conditions which have established higher wages and salaries in the private sector for the same job classification that in State Government is paid a lower wage or salary; and

Whereas, some state agencies are experiencing a crisis with respect to filling a number of essential positions which has seriously affected the ability of these agencies to operate; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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