

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 7, 1994 to June 30, 1995

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 29, 1995

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

J.S. McCarthy Company
Augusta, Maine
1995

When the terms of the current public members expire in 1996, the persons appointed or reappointed to fill those positions have the following terms: one public member is appointed for a one-year term; one public member is appointed for a 2-year term; and one public member is appointed for a 3-year term.

Of the 2 public members added to the board pursuant to this Act, one must be appointed to fill a term that expires October 31, 1997 and one for a term that expires October 31, 1998.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective June 30, 1995.

CHAPTER 400

S.P. 597 - L.D. 1584

**An Act to Require Annual Reporting
by the Board of Governors of the
Maine Workers' Compensation
Residual Market Pool**

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

Sec. 1. 24-A MRSA §2395, sub-§6 is enacted to read:

6. Report required. Beginning in 1996, the board shall file an annual report on or before June 1st to the Governor, the superintendent, the President of the Senate and the Speaker of the House of Representatives and the joint standing committee of the Legislature having jurisdiction over banking and insurance matters. The report must identify the following information:

- A. The pool's most recent audited financial statements;
- B. The total claims payments made by the pool in the preceding 12 months;
- C. The most recent actuarial report, including cash flow and deficit projections for the pool;
- D. A report of changes to the operations of the pool;
- E. A summary of the number of open claims and aggregate reserves for each policy year; and
- F. Any information required to be maintained by the pool pursuant to section 2393, subsection 2, paragraph E and section 2394, subsection 1.

Sec. 2. Report by board of governors. On or before March 1, 1996, the Board of Governors of the Maine Workers' Compensation Residual Market Pool shall file a report to the Governor, the Superintendent of Insurance, the President of the Senate, the Speaker of the House of Representatives and the Joint Standing Committee on Banking and Insurance. The report must include information on the cash status of the Maine Workers' Compensation Residual Market Pool and the receipt of revenue from major and minor insurers and employers, as defined in the Maine Revised Statutes, Title 24-A, section 2392, and the Maine Insurance Guaranty Association.

See title page for effective date.

CHAPTER 401

H.P. 292 - L.D. 396

**An Act to Amend the Laws
Governing Wrongful Death Caused
by Truck Drivers**

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

Sec. 1. 29-A MRSA §558, sub-§1, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

1. Violation. A person commits a Class E crime if that person violates or knowingly permits a violation of this subchapter or a rule adopted pursuant to this subchapter. The violation is a Class C crime if:

- A. The violation is knowing or intentional;
- B. The violation in fact causes either death or serious bodily injury, as defined in Title 17-A, section 2, to a person whose health or safety is protected by the provision violated; and
- C. The death or injury is a reasonably foreseeable consequence of the violation.

See title page for effective date.

CHAPTER 402

H.P. 483 - L.D. 664

**An Act Regarding the Functioning of
the Department of Mental Health
and Mental Retardation and Several
Professional Regulatory Boards**