

# 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**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1995**

**CHAPTER 30****S.P. 588 - L.D. 1573****An Act to Further Extend the  
Workers' Compensation Deficit  
Evaluation Proceeding**

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

**Whereas,** the Superintendent of Insurance is required to determine, by June 1st of each year, the incurred deficit of the Maine Workers' Compensation Residual Market Pool and to establish the level of premium surcharges on employers and assessments on pool member insurers for the repayment of that deficit; and

**Whereas,** the Governor has appointed a committee to make recommendations concerning replacement of the present system for funding that deficit; and

**Whereas,** the Legislature may take action that will cause substantial changes to the Maine Insurance Code that will have a direct and immediate effect on the appropriate amounts for the surcharges and assessments, but these effects can not be taken into account under the current applicable law in the pending deficit evaluation proceeding; and

**Whereas,** the June 1st deadline was extended to June 19, 1995, and that extension may be insufficient to permit adequate time for deliberation by the Legislature on the proposed law changes; 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:**

**Sec. 1. Extension of time.** Notwithstanding the required reporting date of June 1st, as specified in the Maine Revised Statutes, Title 24-A, section 2386-A, first paragraph, the Superintendent of Insurance is not required to evaluate the incurred deficit of the Maine Workers' Compensation Residual Market Pool and to establish the level of premium surcharges on employers and assessments on pool member insurers as required by section 2386-A until the adjournment sine die of the First Regular Session of the 117th Legislature. The extension of time applies only to that report due on June 1, 1995, and

deferred to June 19, 1995 pursuant to Private and Special Law 1995, chapter 25.

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

Effective June 19, 1995.

**CHAPTER 31****H.P. 461 - L.D. 627****An Act to Amend the Kennebec  
Water District Charter by Allowing  
the Town of Vassalboro and the  
Town of Benton to have a Permanent  
Member on the Board of Trustees**

**Mandate preamble.** This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, two thirds of all of the members elected to each House have determined it necessary to enact this measure.

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

**Whereas,** the provisions of this Act are immediately necessary to ensure an orderly transition in the board of trustees of the Kennebec Water District; 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:**

**Sec. 1. P&SL 1899, c. 200, §5,** as repealed and replaced by P&SL 1987, c. 33, §1, is amended to read:

**Sec. 5. Trustees.** All the affairs of the water district ~~shall be~~ are managed by a board of trustees composed of ~~7~~ 8 members. Two of the trustees ~~shall be~~ are chosen by the municipal officers of Waterville, 2 by the municipal officers of Fairfield, 2 by the municipal officers of Winslow ~~and one shall be appointed by the county commissioners of Kennebec County to fill a seat which alternates every 3 years~~