

STATE OF MAINE

IN THE YEAR OF OUR LORD  
TWO THOUSAND AND FOURTEEN

H.P. 988 - L.D. 1385

**An Act To Amend the Reporting Requirements of the Workers'  
Compensation Management Fund**

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

**Sec. 1. 5 MRSA §1833, sub-§1**, as enacted by PL 1989, c. 501, Pt. P, §16, is amended to read:

**1. Capitalization; premiums.** The fund ~~shall be~~ is capitalized by legislative appropriations, payment from state departments and agencies and by other appropriate means.

On or before July 1st of each year, the Department of Administrative and Financial Services, Division of Employee Health and Benefits shall inform the State Budget Officer of quarterly premium charges for the fiscal year. The State Budget Officer shall advise any affected department or agency of the premium charges so that they may be incorporated into the normal budgetary process. An agency that does not have sufficient funding to pay the required premium charges shall request funds from the Legislature.

All state departments and agencies shall make premium payments to the fund at the beginning of each quarter based on charges to user departments. Premiums charged to user departments ~~shall~~ must be based on an analysis of the loss experience of each department, the reserve requirements related to departmental loss experience and the recovery of expenses as authorized in this section as related to each user department. Each department shall allocate the premium charge based on an analysis of the loss experience of each account or subdivision of account within the department. Premiums charged ~~shall~~ must be sufficient to ensure the continuation of the fund and shall be set by the commissioner.

Funds received from the reserve fund for self-insured retention losses under section 1731 ~~shall~~ must be repaid to that reserve fund through premiums charged except that, on the request of the commissioner, the Governor may waive repayment to the reserve fund when warranted and necessary.

**Sec. 2. 5 MRSA §1833, sub-§2**, as amended by PL 1991, c. 780, Pt. Y, §73, is repealed.