

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 1849

H. P. 1409

House of Representatives, April 5, 1973

Referred to the Committee on Labor. Sent up for concurrence and ordered printed.

E. LOUISE LINCOLN, Clerk

Presented by Mr. Dunleavy of Presque Isle.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

AN ACT to Amend the Workmen's Compensation Act to Make Compensation for Permanent Partial Incapacity Coextensive with the Duration of Disability.

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

R. S., T. 39, § 55, amended. Section 55 of Title 39 of the Revised Statutes, as last repealed and replaced by section 140 of chapter 622 of the public laws of 1971, is amended to read as follows:

§ 55. Compensation for partial incapacity

While the incapacity for work resulting from the injury is partial, the employer shall pay the injured employee a weekly compensation equal to $\frac{2}{3}$ the difference, due to said injury, between his average weekly wages, earnings or salary before the accident and the weekly wages, earnings or salary which he is able to earn thereafter, but not more than $\frac{2}{3}$ of the average weekly wage in the State of Maine as computed by the Employment Security Commission; and such weekly compensation shall be adjusted annually on July 1st so that it continues to bear the same percentage relationship to the average weekly wage in the State of Maine as computed by the Employment Security Commission, as it did at the time of the injury; ~~and in no case shall the period covered by such compensation be greater than 325 weeks from the date of the accident except for vocational rehabilitation services provided under sections 52 and 54.~~

STATEMENT OF FACT

It is arbitrary to limit compensation for the permanent partial incapacity to 325 weeks when fairly and rationally, benefits should be coextensive with the period of actual disability.