

# MAINE STATE LEGISLATURE

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D. O. E. R.

STATE OF MAINE  
SENATE  
107TH LEGISLATURE

COMMITTEE AMENDMENT "A" to S.P. 226, L.D.758,  
Bill, "AN ACT Relating to Weekly Compensation Paid  
Under the Workmen's Compensation Law."

Amend said Bill by striking out everything  
after the enacting clause and inserting in place  
thereof the following:

'Sec. 1. 39 MRSA §54, first and 3rd sentences,  
as last amended by PL 1973, c. 543, §1, are further  
amended to read:

While the incapacity for work resulting from the  
injury is total, the employer shall pay the injured  
employee a weekly compensation equal to  $\frac{2}{3}$  his  
average gross weekly wages, earnings or salary,  
but not more than the average weekly wage in the  
State of Maine as computed by the Employment Security  
Commission, ~~nor less than \$25 weekly;~~ 133  $\frac{1}{3}$ % of  
such average weekly wage as of January 1, 1977;  
166  $\frac{2}{3}$ % of such average weekly wage as of  
January 1, 1978; and 200% of such average weekly wage  
as of January 1, 1979; nor less than \$25 weekly;  
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.

In the event of such permanent total incapacity, the  
employer shall pay the employee a weekly compensation  
equal to  $\frac{2}{3}$  his average gross weekly wage, earnings  
or salary but not more than the average weekly wage  
in the State of Maine as computed by the Employment  
Security Commission, ~~nor less than \$25 weekly;~~  
133  $\frac{1}{3}$ % of such average weekly wage as of January 1,  
1977; 166  $\frac{2}{3}$ % of such average weekly wage as of  
January 1, 1978; and 200% of such average weekly wage  
as of January 1, 1979; nor less than \$25 weekly; 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

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in the State of Maine as computed by the Employment Security Commission, as it did at the time of the injury.

Sec. 2. 39 MRSA §55, as last repealed and replaced by PL 1973, c. 788, §224, is amended to read:

§ 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 2/3 the difference, due to said injury, between his average gross weekly wages, earnings or salary before the injury and the weekly wages, earnings or salary which he is able to earn thereafter, but not more than the average weekly wage in the State of Maine as computed by the Employment Security Commission; ~~133 1/3%~~ 133 1/3% of such average weekly wage as of January 1, 1977; 166 2/3% of such average weekly wage as of January 1, 1978; and 200% of such average weekly wage as of January 1979; 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.

Sec. 3. 39 MRSA §58, first sentence, as last amended by PL 1973, c. 543, §3, is further amended to read:

If death results from the injury, the employer shall pay the dependents of the employee, dependent upon his earnings for support at the time of his ~~accident injury~~, a weekly payment equal to 2/3 his average gross weekly wages, earnings or salary, but not more than the average weekly wage in the State of Maine as computed by the Employment Security Commission, ~~nor less than \$25 weekly, from the date of death;~~ 133 1/3% of such average weekly wage as of January 1, 1977; 166 2/3% of such average weekly wage as of January 1, 1978; and 200% of such average weekly wage as of January 1, 1979; nor less than \$25 weekly; from the date of death, until such

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time as provided for in the following paragraph.\*

Statement of Fact

The purpose of this amendment is to increase weekly benefits under the Workmen's Compensation Act.

Reported by the Majority of the Committee on Labor.

Reproduced and distributed pursuant to Senate Rule 11-A.

May 2, 1975.

(Filing No. S-118).