

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

SENATE 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 as of January 1, 1976; 133  $\frac{1}{3}$ % of such average weekly wage as of July 1, 1977 166  $\frac{2}{3}$ % of such average weekly wage as of July 1, 1979; and 200% of such average weekly wage as of July 1, 1981; 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 as of January 1, 1976; 133  $\frac{1}{3}$ %

of such average weekly wage as of July 1, 1977; 166 2/3% of such average weekly wage as of July 1, 1979; and 200% of such average weekly wage as of July 1, 1981; 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Sec. 2. 39 MRSA § 55, as last repealed and replaced by PL 1973, c. 788, §224, is amended to read: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 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; nor less than \$25 weekly as of January 1, 1976; 133 1/3% of such average weekly wage as of July 1, 1977; 166 2/3% of such average weekly wage as of July 1, 1979; and 200% of such average weekly wage as of July 1, 1981; 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 depen-

dents of the employee, dependent upon his earnings for support at the time of his accident, 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 as of January 1, 1976;  $133 \frac{1}{3}\%$  of such average weekly wage as of July 1, 1977;  $166 \frac{2}{3}\%$  of such average weekly wage as of July 1, 1979; and 200% of such average weekly wage as of July 1, 1981, until such time as provided for in the following paragraph.

STATEMENT OF FACT

The Statement of Fact to L.D. 758 indicated that its provisions were intended to reflect the recommendations of the National Commission on State Workmen's Compensation Laws. These amendments are intended to correct those inaccurate statements and do, in fact, embody the actual recommendations of the National Commission.

(McNally)  
NAME: *Erin A. McNally*  
COUNTY: Hancock

Reproduced and distributed pursuant to Senate Rule 11-A.

May 23, 1975. (Filing No. S - 191).