

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 758

S. P. 226

In Senate, February 25, 1975

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

HARRY N. STARBRANCH, Secretary

Presented by Senator Speers of Kennebec.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT Relating to Weekly Compensation Paid Under the Workmen's
Compensation Law.

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

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; 125% of such average weekly wage as of January 1, 1977; 175% of such average weekly wage as of January 1, 1978 and 200% of such average weekly wage as of January 1, 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.

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; 125% of such average weekly wage as of January 1, 1977; 175% of such average weekly wage as of January 1, 1978 and 200% of such average weekly wage as of January 1, 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Sec. 2. 39 MRSA § 55, as last repealed and replaced by PL 1973, c. 788, § 224, is amended to read: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 $\frac{2}{3}$ 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 nor less than \$25 weekly as of January 1, 1976; 125% of such average weekly wage as of January 1, 1977; 175% of such average weekly wage as of January 1, 1978 and 200% of such average weekly wage as of January 1, 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, a weekly payment 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, from the date of death as of January 1, 1976; 125% of such average weekly wage as of January 1, 1977; 175% of such average weekly wage as of January 1, 1978 and 200% of such average weekly wage as of January 1, 1979, until such time as provided for in the following paragraph.

STATEMENT OF FACT

The purpose of this bill is to increase weekly benefits under Workmen's Compensation Act in accordance with the recommendations of the National Commission on State Workmen's Compensation Laws.