

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1067

H. P. 874

House of Representatives, March 16, 1977

On Motion of Mr. Bustin of Augusta referred to the Committee on Labor.
Sent up for concurrence and 1,800 ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Flanagan of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

**AN ACT Relating to Workmen's Compensation for State Law Enforcement
and Institutional Personnel.**

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

Sec. 1. 5 MRSA § 18 is enacted to read:

§ 18. Law enforcement officials; wardens; institutional personnel

When law enforcement officers in the Department of Public Safety, wardens in the Department of Inland Fisheries and Wildlife and in the Department of Marine Resources and institutional personnel with direct care or charge of residents or inmates in the Department of Mental Health and Corrections receive personal injuries arising out of and in the course of their employment or are disabled by occupational disease, as determined under the Workmen's Compensation Act, sick leave taken shall not be charged against the accrued sick leave earned under the Personnel Law and rules.

Sec. 2. 39 MRSA § 53, 1st sentence, as last amended by PL 1973, c. 557, § 1, is further amended to read:

No compensation for incapacity to work shall be payable for the first 3 days of incapacity, except that firemen, law enforcement officers in the Department of Public Safety, wardens in the Department of Inland Fisheries and Wildlife and in the Department of Marine Resources and institutional personnel with direct care or charge of residents or inmates in the Department of Mental Health and Corrections shall receive compensation from the date of incapacity.

STATEMENT OF FACT

The purpose of this bill is to provide law enforcement and institutional personnel, whose duties by their nature involve particularly hazardous conditions, full compensation from the first day of incapacity to work resulting from personal injury arising out of and in the course of their employment. At present, like other employees except firemen, they receive no compensation under the Workmen's Compensation Act for the first 3 days of incapacity unless the incapacity continues for more than 14 days. Firemen now receive compensation from the first day of incapacity. Further, sick leave taken during the waiting period or to augment workmen's compensation payments is charged to their earned sick leave despite the fact the incapacity to work is a direct result of the performance of their duties.