

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1507

H. P. 1259

House of Representatives, March 29, 1979

On Motion of Mr. Baker of Portland, referred to the Committee on Labor. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Hall of Sangerville.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-NINE

**AN ACT to Exclude Chainsaw and Skidder Allowances in the Computation of an Employee's Average Weekly Wage Under the Workers' Compensation Act.**

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

**39 MRSA § 2, sub-§ 2, ¶ A**, as last amended by PL 1975, c. 480, § 1, is further amended to read:

A. "Average weekly wages, earnings or salary" of an injured employee shall be taken as the amount which he was receiving at the time of the injury for the hours and days constituting a regular full working week in the employment or occupation in which he was engaged when injured **except that this shall not include any allowance given to the employee by the employer for the purchase, maintenance or use of any chainsaws or skidders used in the employee's occupation**, provided such employment or occupation had continued on the part of the employer for at least 200 full working days during the year immediately preceding said injury. Except that in the case of piece workers and other employees whose wages during said year have generally varied from week to week, such wages shall be averaged in accordance with the method provided under paragraph B.

**STATEMENT OF FACT**

The purpose of this bill is to exclude from the computation of average weekly wages under the Workers' Compensation Act the value of any chainsaw or skidder allowances provided to the employee by the employer prior to the injury.