

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)

1

L.D. 1429

2

(Filing No. H-205)

3

STATE OF MAINE
HOUSE OF REPRESENTATIVES
111TH LEGISLATURE
FIRST REGULAR SESSION

4

5

6

7

COMMITTEE AMENDMENT "A" to H.P. 1083,
L.D. 1429, Bill, "AN ACT to Establish a State Stan-
dard for Funding Certain Workers under the Workers'
Compensation Commission."

8

9

10

11

Amend the Bill by inserting before the enacting
clause the following:

12

13

'Emergency preamble. Whereas, Acts of the Legis-
lature do not become effective until 90 days after
adjournment unless enacted as emergencies; and

14

15

16

Whereas, some employers and insurance carriers
designate unrealistic and unreasonably large amounts
as woods equipment allowances in order to reduce
employees' average weekly wages; and

17

18

19

20

Whereas, this practice unfairly reduces an
injured woodsman's workers' compensation benefits and
shifts an unfair burden to employers who accurately
report actual wages and thus pay higher insurance
rates; and

21

22

23

24

25

Whereas, in the judgment of the Legislature,
these facts create an emergency within the meaning of
the Constitution of Maine and require the following
legislation as immediately necessary for the preser-
vation of the public peace, health and safety; now,
therefore, '

26

27

28

29

30

31

Further amend the Bill in paragraph A in the 9th
line from the end (page 2, line 7 in L.D.) by insert-
ing before the underlined word "contract" the under-
lined word 'negotiated'

32

33

34

35

Further amend the Bill in paragraph A in the 8th

COMMITTEE AMENDMENT "A" to H.P. 1083, L.D. 1429

1 line from the end (page 2, line 8 in L.D.) by insert-
2 ing before the underlined word "contract" the under-
3 lined words 'a negotiated'

4 Further amend the Bill by adding at the end
5 before the statement of fact the following:

6 'Emergency clause. In view of the emergency
7 cited in the preamble, this Act shall take effect
8 when approved.'

9 STATEMENT OF FACT

10 This amendment adds an emergency preamble and
11 emergency clause to the bill. In addition, it amends
12 the provision on equipment allowances by making it
13 clear that only negotiated contracts may set allow-
14 ances differing from the allowances set by the
15 Department of Labor. The original bill allowed any
16 contract to vary the equipment allowance, rather than
17 only contracts fairly bargained between equally
18 knowledgeable parties. This amendment prevents an
19 employer from taking advantage of an unsophisticated
20 employee.

21

3674050383

Reported by the Committee on Labor
Reproduced and distributed under the direction of the Clerk of
the House
5/6/83 (Filing No. H-205)