

MAINE STATE LEGISLATURE

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(EMERGENCY)
FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 297

H.P. 229 House of Representatives, February 6, 1987
Reference to the Committee on Labor suggested and ordered
printed.

EDWIN H. PERT, Clerk
Presented by Representative PRIEST of Brunswick.
Cosponsored by Representative WILLEY of Hampden and
Senator DUTREMBLE of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 AN ACT to Improve the Informal Conference
2 Process for Workers' Compensation
3 Claims.
4

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

8 Whereas, the increased caseload and informal con-
9 ferences of the Workers' Compensation Commission ne-
10 cessitates adding additional staff to the Office of
11 Employee Assistants immediately so that the commis-
12 sion may carry out its purposes; and

13 Whereas, in the judgment of the Legislature,
14 these facts create an emergency within the meaning of

1 the Constitution of Maine and require the following
2 legislation as immediately necessary for the preser-
3 vation of the public peace, health and safety; now,
4 therefore,

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

7 39 MRSa §92, sub-§6, as repealed and replaced by
8 PL 1985, c. 601, §5, is amended to read:

9 6. Office of Employee Assistants. The chairman
10 shall provide adequate funding for an Office of Em-
11 ployee Assistants and shall, subject to the Personnel
12 Law, appoint the assistants to staff the Augusta of-
13 fice and district offices. Assistants are not attor-
14 neys, but should demonstrate a level of expertise
15 roughly equivalent to that of insurance claims' ana-
16 lysts. The purpose of employee assistants is to pro-
17 vide advice and assistance to employees under this
18 Act and particularly to assist employees in preparing
19 for and assisting at informal conferences under sec-
20 tion 94-B. In addition, if an employer appeals a de-
21 cision of the commission or institutes any proceeding
22 against an employee under this Act, the Office of Em-
23 ployee Assistants shall, upon request, advise an em-
24 ployee how to best prepare for and proceed with his
25 case.

26 No employee of the Office of Employee Assistants may
27 represent before the commission any insurer, self-
28 insurer, group self-insurer, adjusting company or
29 self-insurance company for a period of 2 years after
30 terminating employment with the office.

31 The chairman shall appoint 6 employee assistants. Af-
32 ter January 1, 1984, the chairman may appoint up to 4
33 5 additional assistants if, in the chairman's judg-
34 ment, the additional assistants are necessary to ef-
35 fectuate the purposes of this subsection.

36 Emergency clause. In view of the emergency cited
37 in the preamble, this Act shall take effect when ap-
38 proved.

STATEMENT OF FACT

1

2 Additional staff in the Office of Employee As-
3 sistants is needed to handle the increased volume of
4 cases requiring informal conferences. This bill al-
5 lows the chairman of the Workers' Compensation Com-
6 mission to appoint one additional assistant.

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