MAINE STATE LEGISLATURE

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(New Draft of H.P. 108, L.D. 118) FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

H.P. 798 House of Representatives, April 1, 1987 Reported by Representative HALE from the Committee on Labor and printed under Joint Rule 2. EDWIN H. PERT, Clerk Original bill sponsored by Representative WARREN of Scarborough. Cosponsored by Representatives SWAZEY of

STATE OF MAINE

Bucksport, NADEAU of Saco and Senator ANDREWS of Cumberland.

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

AN ACT Concerning Mandatory Workfare

No municipality may recover from any recipient who has been injured while performing work under sec-

Participants.

4 5	Be it enacted by the People of the State of Maine as follows:
6 7 8	22 MRSA §4318, as repealed and replaced by PL 1985, c. 489, §§8 and 14, is amended by adding at the end 2 new paragraphs to read:

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12 13 14 tion 4316-A, subsection 2, any portion of any medical or rehabilitative expenses associated with that injury or any portion of any other general assistance benefits associated with that injury.

Nothing in this section may be construed as limiting or affecting in any way the right of any individual to file an action under the Maine Tort Claims Act, Title 14, chapter 741.

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Act.

STATEMENT OF FACT

This new draft deletes the provisions of the original bill which defined workfare participants as employees for the purposes of workers' compensation While not including these persons under coverage. the Workers' Compensation Act, this new draft does provide certain protections for a workfare participant who is injured on the job. The new draft sures that any payments made for medical or rehabilitation costs associated with the injury may not be recovered by the municipality. Other general assistance payments made necessary by the injury are similarly exempt from recovery by the municipality. nally, the new draft clarifies that these protections are in no way intended to derogate from the injured person's right to sue the municipality for damages caused by the municipality's negligence, subject to the general restrictions of the Maine Tort Claims

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