

MAINE STATE LEGISLATURE

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L.D. 1361

(Filing No. S- 173)

STATE OF MAINE
SENATE
113TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " A " to S.P. 447, L.D. 1361, "Resolve, to Establish the Joint Select Committee to Study the Benefits and Costs Related to Permanent Impairment Injuries under the Workers' Compensation Act."

Amend the resolve by striking out all of the title and inserting in its place the following:

'RESOLVE, to Establish the Joint Select Committee to Study the Costs of Providing Benefits and Compensation Under the Workers' Compensation Act.'

Further amend the resolve by striking out everything after the title and inserting in its place the following:

'Established. Resolved: That there is established the Joint Select Committee to Study the Costs of Providing Benefits and Compensation under the Workers' Compensation Act; and be it further

Duties. Resolved: That the committee shall study the costs of providing benefits and compensation under the Workers' Compensation Act and the relationship of these costs to the incidence rate and severity of workplace injuries in the State, the benefit structure and administrative implementation of the Workers' Compensation Act, incentives to employers to implement safety measures under the insurance laws and any other factors which may influence the costs of providing benefits and compensation. The committee shall meet no more than 10 times and all members of the Joint Standing Committee on Labor and the Joint Standing Committee on Banking and Insurance shall meet once; and be it further

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COMMITTEE AMENDMENT "A" to S.P. 447, L.D. 1361

1 **Committee. Resolved:** That the committee shall
2 consist of 3 members from the Joint Standing Commit-
3 tee on Labor and 3 members from the Joint Standing
4 Committee on Banking and Insurance. The President of
5 the Senate shall appoint one Senator from the Joint
6 Standing Committee on Labor and one Senator from the
7 Joint Standing Committee on Banking and Insurance and
8 the Speaker of the House shall appoint 2 Representa-
9 tives from the Joint Standing Committee on Labor and
10 2 Representatives from the Joint Standing Committee
11 on Banking and Insurance. The President of the Sen-
12 ate and the Speaker of the House shall be ex officio
13 members of the committee. The appointing authorities
14 shall make the appointments within 30 days following
15 passage of this resolve and shall notify the Legisla-
16 tive Council in writing of their selections. The
17 Chairman of the Legislative Council shall call the
18 first meeting of the committee and the committee
19 shall select a chairman from among its members; and
20 be it further

21 **Findings. Resolved:** That the committee shall
22 present its findings, together with any necessary
23 recommended legislation, to the Second Regular Ses-
24 sion of the 113th Legislature; and be it further

25 **Compensation. Resolved:** That legislative mem-
26 bers of the committee shall receive the legislative
27 per diem as defined in the Maine Revised Statutes,
28 Title 3, section 2, for days of attendance at commit-
29 tee meetings. If the committee meets on a day when
30 the Legislature is in session, legislative members
31 shall receive only one legislative per diem on that
32 day, but may be reimbursed for all necessary expenses
33 upon application to the Executive Director of the
34 Legislative Council; and be it further

35 **Staff assistance. Resolved:** That the commission
36 may request staff assistance from the Legislative
37 Council. All agencies and departments of State Gov-
38 ernment, including the Workers' Compensation Commis-
39 sion, the Bureau of Labor Standards, the Commission

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COMMITTEE AMENDMENT "A " to S.P. 447, L.D. 1361

1 on Safety in the Maine Workplace and the Bureau of
2 Insurance, shall cooperate with the committee and
3 shall expeditiously provide the committee with the
4 information and materials that it needs to carry out
5 the purposes of this resolve.

6 **Appropriation. Resolved:** That the following
7 funds are appropriated from the General Fund to carry
8 out the purposes of this resolve.

9 1987-88

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11 Joint Select Committee
12 to Study the Costs of
13 Providing Benefits and
14 Compensation under the
15 Workers' Compensation
16 Act.

| | | |
|----|--------------------|---------|
| 17 | Personal Services | \$4,400 |
| 18 | All Other | 6,500 |
| 19 | Provides funds for | |
| 20 | the per diem, | |
| 21 | travel and miscel- | |
| 22 | laneous expenses | |
| 23 | of the Joint Se- | |
| 24 | lect Committee to | |
| 25 | Study the Costs of | |
| 26 | Providing Benefits | |
| 27 | and Compensation | |
| 28 | under the Workers' | |
| 29 | Compensation Act. | |

| | | |
|----|-------|-----------------|
| 30 | | |
| 31 | Total | <u>\$10,900</u> |

32 FISCAL NOTE

33 The Workers' Compensation Commission, Bureau of

COMMITTEE AMENDMENT " A " to S.P. 447, L.D. 1361

1 Labor Standards, Commission on Safety in the Maine
2 Workplace and the Bureau of Insurance can absorb the
3 cost of working with the Joint Select Committee to
4 Study the Costs of Providing Benefits and Compensa-
5 tion under the Workers' Compensation Act within their
6 respective existing resources.

7 STATEMENT OF FACT

8 This amendment establishes the Joint Select Com-
9 mittee to Study the Costs of Providing Benefits and
10 Compensation under the Workers' Compensation Act.
11 The workers' compensation system has been the subject
12 of intense public debate and scrutiny in recent
13 years. The object of this study is to determine if,
14 as has often been charged, the costs of providing
15 workers' compensation coverage in Maine are
16 inordinately higher than other states. If those
17 costs are found to be higher, the committee will in-
18 vestigate the reasons for the increased costs. The
19 committee is given a broad mandate to investigate the
20 causes of any increased costs and is provided with
21 assistance from all agencies and departments of State
22 Government, as well as staff assistance from the Leg-
23 islative Council.

24 No true reform of the workers' compensation sys-
25 tem can occur without reliable, objective information
26 substantiating the problems within the system. No
27 rational effort can be made to find a solution to the
28 problem until the exact area of the problem has been
29 identified. The purpose of this study is to identify
30 the cause of any problems in the workers' compensa-
31 tion system, if they exist, and to suggest solutions
32 designed to address the precise areas of difficulty.

33 3354060987

Reported by Senator Dutremble for the Committee on
Labor. Reproduced and Distributed Pursuant to Senate
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