

MAINE STATE LEGISLATURE

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(EMERGENCY)
THIRD SPECIAL SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 2662

H.P. 1965 House of Representatives, September 6, 1988

Approved for introduction by a majority of the
Legislative Council pursuant to Joint Rule 26.

Received by the Clerk of the House on September 1, 1988.
Referred to the Committee on Appropriations and Financial
Affairs and ordered printed pursuant to Joint Rule 14.

EDWIN H. PERT, Clerk

Presented by Speaker MARTIN of Eagle Lake.

Cosponsored by Senator DUTREMBLE of York, Representatives
McHENRY of Madawaska and WILLEY of Hampden.

STATE OF MAINE

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

1 **AN ACT Making Appropriations for**
2 **Additional Staff to the Office of Employee**
3 **Assistants for the Workers'**
4 **Compensation Commission.**
5

6 **Emergency preamble.** Whereas, Acts of the
7 Legislature do not become effective until 90 days
8 after adjournment unless enacted as emergencies; and

9 Whereas, the increased case load and informal

1 conferences of the Workers' Compensation Commission
2 necessitates immediate additional staff to the Office
3 of Employee Assistants so that the commission may
4 carry out its purposes; and

5 Whereas, in the judgment of the Legislature, these
6 facts create an emergency within the meaning of the
7 Constitution of Maine and require the following
8 legislation as immediately necessary for the
9 preservation of the public peace, health and safety;
10 now, therefore,

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

13 Sec. 1. 39 MRSA §92, sub-§6, as amended by PL
14 1987, c. 454, §1, is further amended to read:

15 6. Office of Employee Assistants. The chairman
16 shall provide adequate funding for an Office of
17 Employee Assistants and shall, subject to the
18 Personnel Law, appoint the assistants to staff the
19 Augusta office and district offices. Assistants are
20 not attorneys, but should demonstrate a level of
21 expertise roughly equivalent to that of insurance
22 claims' analysts. The purpose of employee assistants
23 is to provide advice and assistance to employees under
24 this Act and particularly to assist employees in
25 preparing for and assisting at informal conferences
26 under section 94-B. In addition, if an employer
27 appeals a decision of the commission or institutes any
28 proceeding against an employee under this Act, the
29 Office of Employee Assistants shall, upon request,
30 advise an employee how to best prepare for and proceed
31 with his case.

32 No employee of the Office of Employee Assistants may
33 represent before the commission any insurer,
34 self-insurer, group self-insurer, adjusting company or
35 self-insurance company for a period of 2 years after
36 terminating employment with the office.

37 The chairman shall appoint 6 employee assistants
38 and a supervisor supervisors of employee
39 assistants. After January 17 1984, the chairman may
40 ~~appoint-up-to-5-additional-assistants-if,-in-the-~~

1 chairman's judgment, the additional assistants are
2 as necessary to effectuate the purposes of this
3 subsection.

4 Sec. 2. Supplemental appropriations from the
5 General Fund. There is appropriated from the General
6 Fund to the Workers' Compensation Commission the
7 following sum to carry out the purposes of this Act.

8 1988-89

9 WORKERS' COMPENSATION COMMISSION

10 Office of Employee Assistants

11	Positions	(3)
12	Personal Services	\$ 68,695
13	All Other	20,665
14	Capital Expenditures	11,940

15
16 Total \$101,300

17 Emergency clause. In view of the emergency
18 cited in the preamble, this Act shall take effect when
19 approved.

20 STATEMENT OF FACT

21 This bill allocates funds for 2 employee assistant
22 positions in the Workers' Compensation Commission,
23 plus clerical support for these positions, rent, video
24 terminals, training and furniture.

25 The bill also eliminates the 1984 transitional
26 language which placed specific statutory limitations
27 on the staffing levels of the Office of Employee
28 Assistants.

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