



## 115th MAINE LEGISLATURE

## **FIRST REGULAR SESSION-1991**

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S.P. 382

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JOY J. O'BRIEN Secretary of the Senate

Presented by Senator CONLEY of Cumberland Cosponsored by Representative McKEEN of Windham.

STATE OF MAINE

## IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND NINETY-ONE

An Act to Amend the Workers' Compensation Act to Provide for Fair Minimum Benefits.

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Be it enacted by the People of the State of Maine as follows: 2 Sec. 1. 39 MRSA §54-B, first ¶, as amended by PL 1987, c. 559, Pt. B, §27, is further amended to read: 4 6 While the incapacity for work resulting from the injury is total, the employer shall pay the injured employee a weekly 8 compensation equal to 2/3 his of the employee's average gross weekly wages, earnings or salary, but not more than the maximum benefit under section 53-B, nor less than \$25 50% of the state 10 average weekly wage. 12 Sec. 2. 39 MRSA §55-B, first ¶, as enacted by PL 1987, c. 559, 14 Pt. B, §30, is amended to read: 16 While the incapacity for work resulting from the injury is partial, the employer shall pay the injured employee a weekly compensation equal to 2/3 the difference, due to the injury, 18 between his the employee's average gross weekly wages, earning 20 earnings or salary before the injury and the weekly wages, earnings or salary which he the employee is able to earn after the injury, but not more than the maximum benefit under section 22 53-B. For the purpose of establishing partial disability 24 benefits, the average weekly wage may not be based on less than 50% of the state average weekly wage. Payments under this section shall do not continue for longer than 400 weeks after 26 maximum medical improvement. 28 STATEMENT OF FACT 30 32 This bill increases the minimum compensation for total and partial disability benefits. 34