

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

3
R 016

L.D. 955

DATE: 6/12/95

(Filing No. H- 440)

LABOR

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
117TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 697, L.D. 955, Bill, "An Act to Amend the Workers' Compensation Act As It Relates to Incarcerated Individuals"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

Sec. 1. 39-A MRSA §203, sub-§1, as enacted by PL 1991, c. 885, Pt. A, §8 and affected by §§9 to 11, is amended to read:

1. Compensation while incarcerated. Compensation for incapacity under section 212 or 213 or under any prior workers' compensation laws may not be paid to any person during any period ~~in which that person is a sentenced prisoner in actual execution of a term~~ of incarceration imposed in this State or any other jurisdiction ~~for~~ after conviction of a criminal offense, except in relation to compensable injuries suffered during incarceration and while the prisoner is:

- A. Employed by a private employer;
- B. Participating in a work release program;
- C. Sentenced to imprisonment with intensive supervision under Title 17-A, section 1261; or
- D. Employed in a program established under a certification issued by the United States Department of Justice under 18 United States Code, Section 1761.

COMMITTEE AMENDMENT

Sec. 2. Application. Notwithstanding Public Law 1991, c. 885, Part A, section 10, the Maine Revised Statutes, Title 39-A, section 203 applies to eligibility for compensation for incapacity on or after the effective date of this Act regardless of the date of injury.'

STATEMENT OF FACT

This amendment adds to the original bill by prohibiting the receipt of workers' compensation benefits by an incarcerated individual who has been convicted of a crime but has not received final sentencing. The amendment maintains the intent of the original bill to make the prohibition on receiving incapacity benefits apply to all incarcerated individuals, regardless of the date of injury. The amendment also clarifies that the application section only applies to eligibility for incapacity benefits after the effective date of the Act and does not affect benefits already received by incarcerated individuals.