

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1995

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Legislative Document

No. 955

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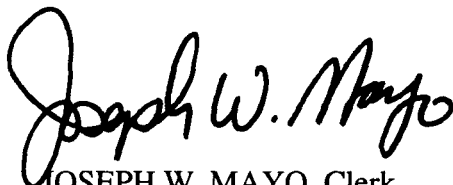
H.P. 697

House of Representatives, March 23, 1995

**An Act to Amend the Workers' Compensation Act As It Relates to  
Incarcerated Individuals.**

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Reference to the Committee on Labor suggested and ordered printed.

  
JOSEPH W. MAYO, Clerk

Presented by Representative CLUKEY of Houlton.  
Cosponsored by Senator HALL of Piscataquis and  
Representatives: WATERHOUSE of Bridgton, WHEELER of Bridgewater, Senator:  
BENOIT of Franklin.

2 **Be it enacted by the People of the State of Maine as follows:**

4 **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:

6 **1. Compensation while incarcerated.** Compensation for  
8 incapacity under section 212 or 213 or under any prior workers'  
10 compensation laws may not be paid to any person during any period  
12 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 a criminal offense, except in relation to  
compensable injuries suffered during incarceration and while the  
prisoner is:

14 A. Employed by a private employer;

16 B. Participating in a work release program;

18 C. Sentenced to imprisonment with intensive supervision  
20 under Title 17-A, section 1261; or

22 D. Employed in a program established under a certification  
24 issued by the United States Department of Justice under 18  
United States Code, Section 1761.

26 **Sec. 2. Application.** Notwithstanding Public Law 1991, chapter  
28 885, Part A, section 10, the Maine Revised Statutes, Title 39-A,  
section 203 applies to compensation for incapacity for all  
30 injuries, whether incurred before, on or after January 1, 1993.

32 **STATEMENT OF FACT**

34 This bill applies retroactively the law prohibiting payment  
of workers' compensation benefits to incarcerated persons to  
36 payments under any prior workers' compensation laws.