

MAINE STATE LEGISLATURE

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R.O.S.

L.D. 1056

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DATE: January 31, 1996 (Filing No. S-420)

LABOR

Reported by: The Majority of the Committee.

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**STATE OF MAINE
SENATE
117TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 379, L.D. 1056, "Resolve, to Create an Advisory Committee to Assist in the Funding of State Employee Workers' Compensation Claims"

Amend the resolve by striking out the title and substituting the following:

'Resolve, to Create an Advisory Committee to Assist in the Management of State Employee Workers' Compensation Costs'

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

'Sec. 1. Committee established. Resolved: That the Advisory Committee on State Employee Workers' Compensation Costs Management, referred to in this resolve as the "advisory committee," is established to study the manner in which the costs of workers' compensation for state employees are managed; and be it further

Sec. 2. Membership. Resolved: That the advisory committee consists of the following 12 members.

- 1. The Governor shall appoint the following members:
 - A. A representative of the Workers' Compensation Division of the Bureau of Human Resources;
 - B. A member experienced in implementing workplace safety programs in the private sector;
 - C. A member who is a 3rd-party administrator of workers' compensation claims in the private sector; and

COMMITTEE AMENDMENT

2 D. A representative from the Department of Labor, Bureau of
Labor Standards familiar with workplace safety issues.

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6 2. The President of the Senate shall appoint the following
members:

8 A. A certified public accountant with experience in
structure settlements;

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12 B. A representative of an insurance company providing
workers' compensation to private companies;

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C. A member who is a claims adjudicator in the private
sector; and

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18 D. A member experienced in implementing return-to-work
programs in the private sector.

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3. The Speaker of the House of Representatives shall
appoint the following members:

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24 A. One member from each of the 3 labor organizations
representing state employees; and

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B. A lawyer who handles workers' compensation claims; and
be it further

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Sec. 3. Duties. Resolved: That the advisory committee shall
identify the costs of state employee workers' compensation claims
and review the programs and mechanisms used to control those
costs. The advisory committee shall investigate alternative
methods of reducing those costs and reducing future workplace
injuries. The advisory committee shall identify methods or
improvements to accomplish the following goals:

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38 1. Ensuring that state employee workers' compensation costs
are controlled in a responsible manner with particular emphasis
on safety and return-to-work programs;

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42 2. Ensuring that state employee workers' compensation
claims are administered as efficiently and economically as
possible; and

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46 3. Ensuring that Legislators and members of the public have
accurate information about the extent of state employee workers'
compensation costs; and be it further

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Sec. 4. Report. Resolved: That the advisory committee shall
make a report to the Governor and the joint standing

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committees of the Legislature having jurisdiction over labor matters and state and local government matters by February 1, 1997. The report must contain the results of the advisory committee's review and investigation and any recommendations; and be it further

Sec. 5. Meetings. Resolved: That the Executive Director of the Legislative Council shall call the first meeting by September 15, 1996. The advisory committee members shall designate a member to serve as chair of the committee; and be it further

Sec. 6. Report on current programs. Resolved: At the first meeting, a representative of the Department of Administrative and Financial Services, Bureau of Human Resources shall report to the advisory committee on the programs that the State has in place and the steps that have been taken to improve the State's management of its workers' compensation costs. This report must describe funding issues, administration of claims, return-to-work programs, workplace safety programs and other related efforts; and be it further

Sec. 7. Compensation. Resolved: That members of the advisory committee serve without compensation. Members who are not state employees may receive reimbursement for reasonable expenses incurred in attending meetings of the advisory committee; and be it further

Sec. 8. Staff. Resolved: That the advisory committee may request staff assistance from the Department of Administrative and Financial Services.'

Further amend the bill by inserting at the end before the statement of fact the following:

FISCAL NOTE

The additional costs to provide staffing assistance to the Advisory Committee on State Employee Workers' Compensation Costs Management and to pay travel expenses of certain committee members can be absorbed by the Department of Administrative and Financial Services utilizing existing budgeted resources.'

STATEMENT OF FACT

This amendment replaces the entire bill and changes the focus of the advisory committee from workers' compensation funding issues to the State's management of its return-to-work

COMMITTEE AMENDMENT "A" to S.P. 379, L.D. 1056

2 and safety programs. The membership is increased from 9 to 12
members and experience in workplace safety and return-to-work
4 programs is required for certain members. The first meeting must
be called by September 15, 1996 and at that meeting the
6 Department of Administrative and Financial Services, Bureau of
Human Resources is required to report on the programs that the
8 State has in place and the steps that have been taken to improve
the State's management of its workers' compensation costs. The
10 advisory committee must report to the Governor and the
legislative committees having jurisdiction over labor matters and
12 state and local government matters by February 1, 1997. The
amendment also adds a fiscal note to the bill.