

# 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)

DATE: 3-23-98

(Filing No. H-1005)

MAJORITY  
LABOR

2  
4  
6  
8

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

14 STATE OF MAINE  
16 HOUSE OF REPRESENTATIVES  
18 118TH LEGISLATURE  
20 SECOND REGULAR SESSION

18  
20  
22

COMMITTEE AMENDMENT "A" to H.P. 875, L.D. 1192, Bill, "An Act to Provide Adjustments to Accommodate Increases in the Cost of Living for Injured Workers"

24  
26

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

28

Sec. 1. 39-A MRSA §212, sub-§1-A is enacted to read:

30  
32

1-A. Annual compensation adjustments. This subsection governs annual compensation adjustments for total incapacity benefits.

34

A. An employee is entitled to annual compensation adjustments if the employee:

36  
38

(1) Was injured on or after January 1, 1993; and

(2) Has reached the 6th anniversary of the injury.

40  
42  
44

B. The compensation must be adjusted so that it continues to bear the same percentage relationship to the state average weekly wage, as computed by the Maine Unemployment Insurance Commission, as the compensation bore to the state average weekly wage in the previous year.

46

C. The first adjustment must be made on the 6th anniversary of the injury.

COMMITTEE AMENDMENT

2                    **Sec. 2. 39-A MRSA §213, sub-§5** is enacted to read:

4                    5. Annual compensation adjustments. This subsection  
6 governs annual compensation adjustments for partial incapacity  
benefits.

8                    A. An employee is entitled to annual compensation  
10 adjustments if the employee:

- 12                    (1) Was injured on or after January 1, 1993;
- 14                    (2) Meets the permanent impairment threshold  
16 established in either subsection 1 or 2, whichever is  
18 effective on the date of the injury; and
- (3) Has reached the 6th anniversary of the injury.

20                    B. The compensation must be adjusted so that it continues  
22 to bear the same percentage relationship to the state  
24 average weekly wage, as computed by the Maine Unemployment  
Insurance Commission, as the compensation bore to the state  
average weekly wage in the previous year.

26                    C. The first adjustment must be made on the 6th anniversary  
28 of the injury.'

30                    **SUMMARY**

32                    This amendment replaces the bill and is the majority report  
34 of the Joint Standing Committee on Labor. It states that an  
36 employee is entitled to annual cost-of-living adjustments in  
38 workers' compensation benefits if the employee was injured on or  
after January 1, 1993, experienced total incapacity or partial  
incapacity that meets statutory thresholds and has reached the  
6th anniversary of the injury.

**COMMITTEE AMENDMENT**