

MAINE STATE LEGISLATURE

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DATE: 4-26-99

(Filing No. H-263)

LABOR

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 954, L.D. 1352, Bill, "An Act to Ensure That All Employees Receive Full Workers' Compensation Benefits"

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

'An Act to Ensure that Workers' Compensation Death Benefits are Paid to Dependents Without Regard to Country of Residence'

Further amend the bill by striking out all of section 1 (page 1, lines 3 to 9 in L.D.) and inserting in its place the following:

'Sec. 1. 39-A MRSA §102, sub-§8, as enacted by PL 1991, c. 885, Pt. A, §8 and affected by §§9 to 11, is amended by amending the last blocked paragraph to read:

In all other cases, questions of total or partial dependency must be determined in accordance with the fact as the fact was at the time of the injury. If there is more than one person wholly dependent, the compensation must be divided equally among them and persons partly dependent, if any, are not entitled to a part of the compensation during the period in which compensation is paid to persons wholly dependent. If there is no one wholly dependent and more than one person who is partly dependent, the compensation must be divided among them according to the relative extent of their dependency. If-a-dependent-is-an-alien-residing outside-the-United-States-or-outside-the-Dominion-of-Canada,-the compensation-paid-to-any-such-dependent-is-1/2-that-provided-in the-case-of-the-death-of-an-employee.

Sec. 2. Retroactivity. This Act applies retroactively to June 1, 1998.'

COMMITTEE AMENDMENT

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SUMMARY

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This amendment replaces the bill. It repeals the sentence that reduces death benefits payable to alien dependents who live outside the United States or Canada. The amendment also makes the change retroactive to June 1, 1998.

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