

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)

100

L.D. 1357

DATE: 3-6-00

(Filing No. H-843)

MINORITY
LABOR

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

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

COMMITTEE AMENDMENT "A" to H.P. 959, L.D. 1357, "Resolve, to Create a Commission to Study the Hearing Process of the Workers' Compensation Board"

Amend the resolve by striking out everything after the title and before the summary and inserting in its place the following:

Sec. 1. Commission established. Resolved: That the Commission to Study the Hearing Process of the Workers' Compensation Board, referred to in this resolve as the "commission," is established; and be it further

Sec. 2. Membership; chairs. Resolved: That the commission consists of 6 members appointed as follows:

1. Three members of the Joint Standing Committee on Labor, one Senator appointed by the President of the Senate and 2 Representatives appointed by the Speaker of the House;

2. One member of the Joint Standing Committee on Banking and Insurance appointed by the President of the Senate;

3. One representative of the Department of Labor appointed by the President of the Senate, who shall consider recommendations from the Commissioner of Labor in making the appointment; and

4. One representative of labor appointed by the Speaker of the House, who shall consider recommendations from organized labor groups in the State in making the appointment.

COMMITTEE AMENDMENT

1998

COMMITTEE AMENDMENT "A" to H.P. 959, L.D. 1357

The first-named Senate member and the first-named House member shall serve as co-chairs of the commission; and be it further

Sec. 3. Appointments; convening. Resolved: That all appointments must be made no later than 10 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council upon making their appointments. When the appointment of all members is complete, the chairs shall call and convene the first meeting of the commission; and be it further

Sec. 4. Duties. Resolved: That the commission shall study the time frames in current law and practice of the Workers' Compensation Board hearing process and related procedures; and be it further

Sec. 5. Recommendations. Resolved: That the commission shall submit a report of its findings and recommendations with accompanying legislation, if any, to the First Regular Session of the 120th Legislature and to the Joint Standing Committee on Labor by November 1, 2000. If the commission requires an extension of time to make its report, it may apply to the Legislative Council, which may grant the extension; and be it further

Sec. 6. Staff assistance. Resolved: That upon approval of the Legislative Council the Office of Policy and Legal Analysis shall provide necessary staffing services to the commission; and be it further

Sec. 7. Compensation; budget. Resolved: That legislative members are entitled to receive the legislative per diem and reimbursement of necessary expenses for their attendance at authorized meetings of the commission. Public members not otherwise compensated by their employers or other entities whom they represent are entitled to receive reimbursement of necessary expenses and a per diem equal to the legislative per diem for their attendance at authorized meetings of the commission. The chairs of the commission, with assistance from staff, shall administer the commission budget. The commission may not incur expenses that would result in the commission's exceeding its approved budget. Upon request from the commission, the Executive Director of the Legislative Council or the executive director's designee shall provide the commission chairs and staff with a status report on the commission's budget, expenditures incurred and paid and available funds; and be it further

Sec. 8. Appropriation. Resolved: That the following funds are appropriated from the General Fund to carry out the purposes of this resolve.

1998

2
4
6
8
10
12
14
16
18
20
22
24
26
28
30
32
34
36
38
40
42
44
46
48
50

2000-01

LEGISLATURE

**Commission to Study the Hearing Process
of the Workers' Compensation Board**

Personal Services	\$1,100
All Other	1,750

Provides funds for the per diem and expenses of legislative members and expenses of other eligible members of the Commission to Study the Hearing Process of the Workers' Compensation Board and to print the required report.

LEGISLATURE

TOTAL \$2,850'

Further amend the resolve by inserting at the end before the summary the following:

FISCAL NOTE

2000-01

APPROPRIATIONS/ALLOCATIONS

General Fund \$2,850

This resolve includes a General Fund appropriation of \$2,850 in fiscal year 2000-01 for the Legislature for the per diem and expenses of legislative members and expenses for other eligible members of the Commission to Study the Hearing Process of the Workers' Compensation Board and to print the required report.

The additional costs associated with providing staffing assistance to the commission during the interim between legislative sessions can be absorbed by the Legislature utilizing existing budgeted resources.

The Department of Labor will incur some minor additional costs to participate as a member of the commission. These costs can be absorbed within the department's existing budgeted resources.'

R. 0. 8

SUMMARY

2
4
6
8
10
12

This amendment is a minority report of the committee. It rewrites several sections of the resolve to change membership and to conform with legislative standards for study commissions. It replaces the representative of an insurance company with a representative of labor, removes the requirement for joint appointments by the President of the Senate and Speaker of the House of Representatives and designates cochairs for the commission. It clarifies staffing and compensation, changes the deadline for submitting a report to November 1, 2000 and adds a fiscal note.