

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1065

H.P. 810

House of Representatives, February 22, 2001

An Act to Amend the Membership of the Workers' Compensation Board.

Reference to the Committee on Labor suggested and ordered printed.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative TREADWELL of Carmel.
Cosponsored by Representatives: MacDOUGALL of North Berwick, TOBIN of Dexter,
WATERHOUSE of Bridgton, WINSOR of Norway.

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

2
4 **Sec. 1. 39-A MRSA §151, sub-§1**, as enacted by PL 1991, c. 885,
Pt. A, §8 and affected by §§9 to 11, is amended to read:

6 **1. Board established.** Pursuant to Title 5, section 12004-G,
7 subsection 35, the Workers' Compensation Board is established as
8 an independent board composed of 8 members. The members of the
9 board must be appointed by the Governor within 30 days after a
10 new board member is authorized or a vacancy occurs, subject to
11 review by the joint standing committee of the Legislature having
12 jurisdiction over state and local government matters and
13 confirmation by the Legislature. Notwithstanding the provisions
14 of Title 3, section 151, the designated committee shall complete
15 its review of the appointments of the Governor within 15 days of
16 the Governor's written notice of appointment and the vote of the
17 Legislature must be taken no later than 7 days after the vote of
18 the designated committee.

19
20 Four members of the board must be representatives of management
21 and 4 members must be representatives of labor. All management
22 representatives must be appointed from a list provided by the
23 Maine Chamber of Commerce and Industry or other bona fide
24 organization or association of employers. All Two labor
25 representatives must be from a list provided by the Executive
26 Board of the Maine AFL-CIO or other bona fide labor organization
27 or association of employees representing at least 10% of the
28 Maine work force. Two labor representatives must be selected by
29 the Governor from the labor population at large and may not be
30 representatives of the Maine AFL-CIO or other bona fide labor
31 organization or association of employees. Any list submitted to
32 the Governor must have at least 4 times the number of names as
33 there are vacancies for the group represented by the vacancies.

34
35 A member of the board is not liable in a civil action for any act
36 performed in good faith in the execution of duties as a board
37 member.

38
39 A member of the board may not be a lobbyist required to be
40 registered with the Secretary of State, a service provider to the
41 workers' compensation system or a representative of a service
42 provider to the workers' compensation system.

43
44 Members of the board hold office for staggered terms of 4 years,
45 except for the initial members of the board. The terms of one
46 member representing management and one member representing labor
47 expire February 1st of each year. A member may not serve for
48 more than 2 full terms.

2 The Governor shall initially designate one member representing
management and one member representing labor for terms expiring
4 February 1, 1994; one member representing management and one
member representing labor for terms expiring February 1, 1995;
6 one member representing management and one member representing
labor for terms expiring February 1, 1996; and one member
8 representing management and one member representing labor for
terms expiring February 1, 1997.

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SUMMARY

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This bill amends the membership of the Workers' Compensation
Board by requiring that 2 labor representatives must be selected
16 by the Governor from the labor population at large and may not be
representatives of any labor organization or association of
18 employees.

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