

# 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)



# 120th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2001

---

Legislative Document

No. 1281

S.P. 384

In Senate, February 28, 2001

**An Act to Amend the Laws Governing the Administration of Workers'  
Compensation Hearings.**

---

Reference to the Committee on Labor suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator SHOREY of Washington.  
Cosponsored by Representative BRUNO of Raymond and  
Senators: McALEVEY of York, SAWYER of Penobscot, WOODCOCK of Franklin,  
YOUNGBLOOD of Penobscot.

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

4 **Sec. 1. 39-A MRSA §151, sub-§5,** as enacted by PL 1991, c. 885,  
Pt. A, §8 and as affected by §§9 to 11, is amended to read:

6 **5. Voting requirements.** The board may take action only by  
majority vote of its membership. Decisions regarding the  
8 employment of an executive director ~~and--the--appointment--and  
retention-of-hearing-officers~~ require the affirmative votes of at  
10 least 2 board members representing management and at least 2  
board members representing labor.

12 **Sec. 2. 39-A MRSA §152, sub-§5,** as enacted by PL 1991, c. 885,  
14 Pt. A, §8 and affected by §§9 to 11, is repealed.

16 **Sec. 3. 39-A MRSA §152, sub-§5-A** is enacted to read:

18 **5-A. Employment of chief hearing officer, hearing officers**  
**and mediators.** The Governor shall appoint a chief hearing  
20 officer, who has broad powers to manage and oversee persons  
qualified by background and training to serve as hearing officers  
22 and mediators. The chief hearing officer must be paid at a rate  
ranging from \$110,000 to \$125,000 a year.

24 The chief hearing officer shall appoint hearing officers, who may  
26 take action and enter orders consistent with this Act in all  
cases assigned to them by the chief hearing officer. Hearing  
28 officers must be paid a salary at a rate ranging from \$80,000 to  
\$100,000 a year and serve at the discretion of the chief hearing  
30 officer for a period of not more than 3 years. Hearing officers  
are not subject to the Civil Service Law.

32 The chief hearing officer shall appoint mediators, who may take  
34 action and enter orders consistent with this Act in all cases  
assigned to them by the chief hearing officer. Mediators must be  
36 paid at a rate ranging from \$30,000 to \$50,000 a year and are not  
subject to the Civil Service Law.

38  
40 **SUMMARY**

42 This bill changes the administration of workers'  
44 compensation hearings by creating the position of chief hearing  
officer and providing that the chief hearing officer appoints  
46 hearing officers whose tenure is limited to 3 years.