

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: June 11, 2001 (Filing No. S-333)

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE
SENATE
120TH LEGISLATURE
FIRST REGULAR SESSION

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1130, L.D. 1527, Bill, "An Act to Provide Parity of Representation in Workers' Compensation Claims"

Amend the amendment by striking out all of section 1 and inserting in its place the following:

'Sec. 1. 39-A MRSA §318, 2nd ¶, as enacted by PL 1999, c. 410, §2, is amended to read:

The hearing officer, upon motion by the petitioning party, may include a finding in the decree that the employer's refusal to pay the benefits at issue was not based on any rational grounds developed between the claim and formal hearing. Upon such a finding, the employer--shall hearing officer may impose upon the employer a penalty not to exceed \$1,000 and shall order the employer to pay interest to the employee under section 205, subsection 6 at a rate of 25% per annum from the date each payment was due, instead of 10% per annum.'

FISCAL NOTE

The possibility of the imposition of a fine for certain actions associated with the workers' compensation program is expected to have little or no impact on the workers' compensation rates paid by state agencies in the future.

It is not clear in the amendment where revenue from fines imposed would be credited. Regardless of whether or not such


SENATE AMENDMENT

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1130,
L.D. 1527

revenue is credited to the undedicated revenue of the General
Fund, the amount of any revenue collected is expected to be minor.

SUMMARY

This amendment removes language directing the hearing
officer to order the employer to reimburse the employee for
reasonable attorney's fees and expenses incurred in obtaining
benefits and instead authorizes the hearing officer to impose on
the employer a penalty not to exceed \$1,000.

SPONSORED BY: 
(Senator EDMONDS)

COUNTY: Cumberland