MAINE STATE LEGISLATURE

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2		L.D. 398				
2	DATE: 5-28-03	(Filing No. S-239)				
4						
6	Reproduced and distributed under the of the Senate.	direction of the Secretary				
8		ATRITE				
10	STATE OF MAINE SENATE					
10	121ST LEGISLA	TURE				
12	FIRST REGULAR SESSION					
14	SENATE AMENDMENT "A" to S.P. 1	35. I.D. 398. Rill. "An Act				
16	To Improve Collection of Information and To Enhance Injury Prevention Effor	about Work-related Injuries				
18						
20	Amend the bill by striking of inserting in its place the following:	out all of section 1 and				
22	'Sec. 1. 39-A MRSA §303, as amen is further amended to read:	ded by PL 1999, c. 354, §5,				
24						
	§303. Reports to board					
26	When any employee has reported t	o an employer under this Act				
28	any injury arising out of and in the					

employment that has caused the employee to lose a day's work, or when the employer has knowledge of any such injury, the employer shall report the injury to the board within 7 days after the employer receives notice or has knowledge of the injury. The employer shall also report the average weekly wages or earnings of the employee, as defined in section 102, subsection 4, together with any other information required by the board, within 30 days after the employer receives notice or has knowledge of a claim for compensation under section 212, 213 or 215, unless a wage statement has previously been filed with the board. A copy of the wage information must be mailed to the employee. employer shall report when the injured employee resumes the employee's employment and the amount of the employee's wages or earnings at that time. The employer shall complete a first report of injury form for any injury that has required the services of a health care provider within 7 days after the

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SENATE AMENDMENT "A" to S.P. 135, L.D. 398

	employer receives notice or has knowledge of the injury. The
2	employer shall provide a copy of the form to the injured employee
	and retain a copy for the employer's records but is not obligated
4	to submit the form to the board unless the injury later causes
	the employee to lose a day's work. The employer is also required
6	to submit the form to the board if the board has finally adopted
	a major substantive rule pursuant to Title 5, chapter 375,
8	subchapter 2-A to require the form to be filed electronically.'

Further amend the bill by striking out all of section 3 (page 2, lines 27 and 28 in L.D.)

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14 SUMMARY

This amendment removes those provisions of the bill regarding reports of work-related injuries to the Workers'

Compensation Board. Instead, this amendment clarifies that employers are required to file the report with the board only if the major substantive rule-making process has been completed. This amendment also removes the delayed effective date.

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FISCAL NOTE REQUIRED (See attached)

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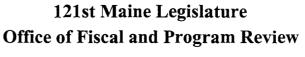
SPONSORED BY:

30 (Senator EDMONDS)

32 COUNTY: Cumberland

34

Approved: 05/28/03





An Act To Improve Collection of Information about Work-related Injuries and To Enhance Injury Prevention Efforts



Fiscal Note for Senate Amendment 'A' 239
Sponsor: Sen. Edmonds

Fiscal Note Required: Yes

Fiscal Note

	2003-04	2004-05	Projections 2005-06	Projections 2006-07
Appropriations/Allocations Other Special Revenue Funds	(\$72,356)	(\$195,364)	(\$194,517)	(\$198,904)
Revenue Other Special Revenue Funds	(\$72,356)	(\$195,364)	(\$194,517)	(\$198,904)

Fiscal Detail and Notes

This amendment decreases the Other Special Revenue Funds cost of the bill by \$72,356 in fiscal year 2003-04 and \$195,364 in fiscal year 2004-05 due to removal of the requirement that the Workers' Compensation Board adopt rules to implement an electronic filing system. As amended, this bill clarifies that employers are required to file reports with the Workers' Compensation Board only if the major substantive rulemaking process has been completed.