

MAINE STATE LEGISLATURE

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M
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L.D. 398

DATE: 5-28-03

(Filing No. S-239)

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STATE OF MAINE
SENATE
121ST LEGISLATURE
FIRST REGULAR SESSION

SENATE AMENDMENT "A" to S.P. 135, L.D. 398, Bill, "An Act To Improve Collection of Information about Work-related Injuries and To Enhance Injury Prevention Efforts"

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

'Sec. 1. 39-A MRSA §303, as amended by PL 1999, c. 354, §5, is further amended to read:

§303. Reports to board

When any employee has reported to an employer under this Act any injury arising out of and in the course of the employee's 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. The 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

SENATE AMENDMENT

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

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

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

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SUMMARY

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This amendment removes those provisions of the bill
17 regarding reports of work-related injuries to the Workers'
18 Compensation Board. Instead, this amendment clarifies that
19 employers are required to file the report with the board only if
20 the major substantive rule-making process has been completed.
21 This amendment also removes the delayed effective date.

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FISCAL NOTE REQUIRED
(See attached)

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SPONSORED BY:



(Senator EDMONDS)

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COUNTY: Cumberland

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**121st Maine Legislature
Office of Fiscal and Program Review**



LD 398

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

LR 0444(06)

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.