

MAINE STATE LEGISLATURE

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L.D. 575

DATE: 1-27-04

(Filing No. H-639)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "B" to H.P. 438, L.D. 575, Bill, "An Act To Encourage Workers' Compensation Dispute Resolutions"

Amend the bill in section 1 in subsection 8 in the 3rd and 4th lines (page 1, lines 7 and 8 in L.D.) by striking out the following: "Surcharges collected pursuant to section 313, subsection 6 and" and inserting in its place the following: 'User fees collected pursuant to'

Further amend the bill by striking out all of section 2.

Further amend the bill in section 3 in that part designated "§318-A." by striking out all of the first line (page 1, line 26 in L.D.) and inserting in its place the following:

'§318-A. User fee'

Further amend the bill in section 3 in that part designated "§318-A." in the first paragraph in the 4th line (page 1, line 31 in L.D.) by striking out the following: "may assess a surcharge in the amount of \$1,500" and inserting in its place the following: 'shall assess a user fee of \$1,000'

Further amend the bill by inserting after section 3 the following:

'**Sec. 4. Appropriations and allocations.** The following appropriations and allocations are made.'

COMMITTEE AMENDMENT

WORKERS' COMPENSATION BOARD

Administration - Workers' Compensation Board

Initiative: Provides base allocations for the Advocate Program Fund.

Other Special Revenue Funds	2003-04	2004-05
All Other	\$0	\$500
General Fund Total	\$0	\$500'

Further amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment deletes provisions of the bill that proposed to allow the Workers' Compensation Board to impose surcharges on employers who do not prevail at mediation sessions or formal hearings. Instead, the amendment requires the board to assess a \$1,000 user fee against an employer if, following formal hearing, the employee obtains or retains more benefits than the employer offered prior to the formal hearing.

FISCAL NOTE REQUIRED
(See attached)

R. of S.

121st Maine Legislature
Office of Fiscal and Program Review

LD 575

An Act to Encourage Workers' Compensation Dispute Resolutions



LR 1517(04)

Fiscal Note for Bill as Amended by Committee Amendment

Committee: Labor

Fiscal Note Required: Yes

Fiscal Note

Potential current biennium revenue increase - Other Special Revenue Funds

	2003-04	2004-05	Projections 2005-06	Projections 2006-07
Appropriations/Allocations				
Other Special Revenue Funds	\$0	\$500	\$0	\$0

Fiscal Detail and Notes

This bill includes an Other Special Revenue Funds allocation of \$500 in fiscal year 2004-05 to establish a base allocation for the Advocate Program Fund within the Workers' Compensation Board. The amount of revenue to be deposited into the Fund from user fees cannot be determined at this time.