

MAINE STATE LEGISLATURE

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R O F S

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Date: 6/11/13

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STATE OF MAINE

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SENATE

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126TH LEGISLATURE

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FIRST REGULAR SESSION

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SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 175,
L.D. 443, Bill, "An Act To Amend the Maine Workers' Compensation Act of 1992 To
Provide Benefits to Seriously Injured Workers"

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Amend the amendment in section 2 by striking out all of paragraph F (page 1, lines
29 to 35 in amendment) and inserting the following:

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'F. If the employee is not working and has performed a work search sufficient for the
receipt of unemployment benefits as required by the Department of Labor, a
rebuttable presumption is created that the employee is entitled to 100% partial
incapacity benefits under section 213. This presumption may be rebutted only by a
showing that the employee has received a bona fide offer of reasonable employment
and refused that offer without good and reasonable cause.'

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SUMMARY

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This amendment changes the benefits a person is presumed to be entitled to from an
amount equal to the amount permitted for total incapacity to the amount permitted for
partial incapacity, as long as the person has performed a work search sufficient to qualify
for unemployment benefits.

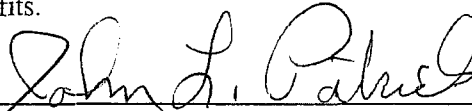
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SPONSORED BY:



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(Senator PATRICK)

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COUNTY: Oxford

FISCAL NOTE REQUIRED
(See attached)

SENATE AMENDMENT



126th MAINE LEGISLATURE

LD 443

LR 1475(04)

An Act To Amend the Maine Workers' Compensation Act of 1992 To Provide Benefits to Seriously Injured Workers

Fiscal Note for Senate Amendment *A* to Committee Amendment "A"

Sponsor: Sen. Patrick of Oxford

Fiscal Note Required: Yes

Fiscal Note

No change from Committee Amendment

Fiscal Detail and Notes

The fiscal note prepared for the committee amendment was based on language that created a rebuttable presumption that an injured worker with partial incapacity is eligible for 100% partial incapacity benefits under section 213 as long as that injured worker has the required work search. The final printed committee amendment changed the benefits to the amount permitted for total incapacity, but this change was never sent for fiscal review. Therefore, this amendment to change the benefits back to 100% partial incapacity does not change the fiscal impact expressed for the committee amendment.