

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)

EIGHTY-FIFTH LEGISLATURE

Legislative Document

No. 503

H. P. 982 House of Representatives, Feb. 11, 1931.

Referred to Committee on Labor and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Biddle of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND THIRTY-ONE

AN ACT To Increase Maximum and Minimum Rates under
the Workmen's Compensation Act.

Be it enacted by the People of the State of Maine, as follows:

Compensation for Total Disability

Section 1. Amend section eleven of chapter fifty-five, by striking out in line three thereof after the word "than" the word "eighteen" and by inserting in place thereof the word 'twenty-two' and by striking out in line four thereof after the word "than" the word "six" and by inserting in place thereof the word 'ten', so that said section as amended shall read as follows:

'Sec. 11. Compensation for total incapacity. While the incapacity for work resulting from the injury is total, the employer shall pay the injured employee a weekly compensation equal to two-thirds his average weekly wages, earnings or salary, but not more than twenty-two dollars nor less than ten dollars a week; and in no case shall the period covered by such compensation be greater than five hundred weeks from the eighth day following the accident, nor the amount more than six thousand dollars. In the following cases it shall, for the purposes of this act, be conclusively presumed that the injury resulted in permanent total incapacity; the total and irrevocable loss of sight in both eyes, the loss of both hands at

or above the wrist, the loss of both feet at or above the ankle, the loss of one hand and one foot, an injury to the spine resulting in permanent and complete paralysis of the arms or legs, and an injury to the skull resulting in incurable imbecility or insanity.'

Compensation for Partial Incapacity

Sec. 2. Section twelve of chapter fifty-five is hereby amended, by striking out in line six thereof after the word "than" the word "eighteen" and by inserting in place thereof the word 'twenty-two', so that said section as amended shall read as follows:

'Sec. 12. Compensation for partial incapacity. While the incapacity for work resulting from the injury is partial, the employer shall pay the injured employee a weekly compensation equal to two-thirds the difference, due to said injury, between his average weekly wages, earnings or salary before the accident and the weekly wages, earnings or salary which he is able to earn thereafter, but not more than twenty-two dollars a week; and in no case shall the period covered by such compensation be greater than three hundred weeks from the eighth day following the accident.'

Compensation for Death of Employee

Sec. 3. Section fourteen of chapter fifty-five is hereby amended by striking out in line four thereof after the word "than" the word "eighteen" and by inserting in place thereof the word 'twenty-two' and by striking out in line five thereof after the word "than" the word "six" and by inserting in place thereof the word 'ten', so that said section as amended shall read as follows:

'Sec. 14. Compensation for death of employee; how apportioned. If death results from the injury, the employer shall thereupon pay the dependents of the employee, wholly dependent upon his earnings for support at the time of his accident, a weekly payment equal to two-thirds his average weekly wages, earnings or salary, but not more than twenty-two dollars nor less than ten dollars a week, for a period of three hundred weeks from the eighth day following the accident, and in no case to exceed four thousand dollars. Pro-

vided, however, that if the dependent of the employee to whom compensation shall be payable upon his death is the widow of such employee, upon her death or remarriage compensation to her shall cease; and the compensation to which she would have been entitled thereafter but for such death or remarriage shall be paid to the child or children of the deceased employee, including adopted and step-children, under the age of eighteen years, or over said age but physically or mentally incapacitated from earning, who are dependent upon the widow at the time of her death or remarriage. In case there is more than one child thus dependent, the compensation shall be divided equally among them. If the employee leaves dependents only partly dependent upon his earnings for support at the time of his accident, the employer shall pay such dependents for the said period of three hundred weeks, a weekly compensation equal to the same proportion of the weekly payments herein provided for the benefit of persons wholly dependent as the total amount contributed by the employee to such partial dependents for their support during the year prior to his accident bears to the earnings of the employee during said period.'