

MAINE STATE LEGISLATURE

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N I N E T Y - F I R S T L E G I S L A T U R E

Legislative Document

No. 588

H. P. 1123

House of Representatives, February 17, 1943.

Referred to Committee on Judiciary. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Renouf of Biddeford.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-THREE

AN ACT Amending the Workmen's Compensation Act.

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

Sec. 1. R. S., c. 55, § 11, amended. Section 11 of chapter 55 of the revised statutes is hereby amended to 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 $\frac{2}{3}$ his average weekly wages, earnings or salary, but not more than ~~\$18~~ \$25 nor less than ~~\$6~~ \$8 a week; and in no case shall the period covered by such compensation be greater than 500 weeks from the 8th day following the accident, nor the amount more than ~~\$6000~~ \$10,000. 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 1 hand and 1 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.'

Sec. 2. R. S., c. 55, § 12, amended. Section 12 of chapter 55 of the revised statutes is hereby amended to 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 $\frac{2}{3}$ 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 ~~\$18~~ \$25 a week; and in no case shall the period covered by such compensation be greater than 300 weeks from the 8th day following the accident.'

Sec. 3. R. S., c. 55, § 14, amended. The 1st paragraph of section 14 of chapter 55 of the revised statutes, as amended, is hereby further amended to read as follows:

'If death results from the injury, the employer shall pay the dependents of the employee, wholly dependent upon his earnings for support at the time of his accident, a weekly payment equal to $\frac{2}{3}$ his average weekly wages, earnings or salary, but not more than ~~\$18~~ \$25 nor less than ~~\$6~~ \$8 a week, from the date of death for a period ending 300 weeks from the date of the accident, and in no case to exceed ~~\$4000~~ \$7,500. Provided, 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, if any, of the deceased employee, including adopted and stepchildren, under the age of 18 years, or over said age but physically or mentally incapacitated from earnings, who are dependent upon the widow at the time of her death or remarriage. If the dependent is the widower, upon his death the remainder of the compensation which would otherwise have been payable to him shall be payable to the children above specified, if any, who at the time thereof are dependent upon him. In case there is more than 1 child thus dependent, the compensation shall be divided equally among them. Provided further, that except in the case of dependents who are physically or mentally incapacitated from earning, compensation payable to any dependent child under the age of 18 years shall cease upon such child's reaching the age of 18 years or upon marriage.'