

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Fifth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with  
the Revised Statutes of 1964, Title 3 Section 164, Subsection 6.

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THE KNOWLTON AND MCLEARY COMPANY  
FARMINGTON, MAINE  
1971

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PUBLIC LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE  
One Hundred and Fifth Legislature  
1971

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## Chapter 224

### AN ACT Relating to Escape of Prisoners Following Removal from a State Institution or County Jail for Appearance in Court.

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

R. S., T. 14, § 5545, amended. Section 5545 of Title 14 of the Revised Statutes, as amended by chapter 71 of the public laws of 1969, is further amended by adding a new paragraph at the end to read as follows:

Any prisoner who escapes from custody of the sheriff or any of his deputies or any other law enforcement officer following removal for appearance in court, from a penal or correctional institution or from a county jail, and prior to return thereto, shall be chargeable with escape from the penal or correctional institution or county jail from which he was removed. In the case of a prisoner who escapes following removal from the State Prison for appearance in court, punishment shall be in accordance with Title 34, section 710; in the case of a prisoner who escapes following removal from the Men's Correctional Center for appearance in court, punishment shall be in accordance with Title 34, section 807; in the case of a prisoner who escapes following removal from the Women's Correctional Center for appearance in court, punishment shall be in accordance with Title 34, section 859; in the case of a prisoner who escapes following removal from a county jail for appearance in court, punishment shall be in accordance with Title 17, section 1405.

Effective September 23, 1971

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## Chapter 225

### AN ACT Relating to Compensation Under Workmen's Compensation Law for Total Incapacity, Partial Incapacity and Death.

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

Sec. 1. R. S., T. 39, § 54, amended. The first sentence of section 54 of Title 39 of the Revised Statutes, as repealed and replaced by section 3 of chapter 408 and as amended by section 5 of chapter 489, both of the public laws of 1965, is further amended to read as follows:

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  $\frac{2}{3}$  of the average weekly wage in the State of Maine as computed by the Employment Security Commission, nor less than \$18 weekly; and such weekly compensation shall be adjusted annually on July 1st so that it continues to bear the same percentage relationship to the average weekly wage in the State of Maine as computed by the Employment Security Commission, as it did at the time of the injury.

Sec. 2. R. S., T. 39, § 54, amended. The 3rd sentence of section 54 of Title 39 of the Revised Statutes, as repealed and replaced by section 3 of chapter 408 and as amended by section 5 of chapter 489, both of the public laws of 1965, is further amended to read as follows:

In the event of such permanent total incapacity, the employer shall pay the employee a weekly compensation equal to  $\frac{2}{3}$  his average weekly wage, earnings or salary but not more than  $\frac{2}{3}$  of the average weekly wage in the State of Maine as computed by the Employment Security Commission, nor less than \$18 weekly; and such weekly compensation shall be adjusted annually on July 1st so that it continues to bear the same percentage relationship to the average weekly wage in the State of Maine as computed by the Employment Security Commission, as it did at the time of the injury.

**Sec. 3. R. S., T. 39, § 55, amended.** Section 55 of Title 39 of the Revised Statutes, as amended by section 4 of chapter 408 of the public laws of 1965, is further amended to read as follows:

**§ 55. 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  $\frac{2}{3}$  of the average weekly wage in the State of Maine as computed by the Employment Security Commission; and such weekly compensation shall be adjusted annually on July 1st so that it continues to bear the same percentage relationship to the average weekly wage in the State of Maine as computed by the Employment Security Commission, as it did at the time of the injury; and in no case shall the period covered by such compensation be greater than 300 weeks from the date of the accident except for vocational rehabilitation services provided under sections 52 and 54.

**Sec. 4. R. S., T. 39, § 58, amended.** The first paragraph of section 58 of Title 39 of the Revised Statutes, as repealed and replaced by section 6 of chapter 408 and as amended by section 7 of chapter 489, both of the public laws of 1965, is further amended to read as follows:

If death results from the injury, the employer shall pay the dependents of the employee, 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  $\frac{2}{3}$  of the average weekly wage in the State of Maine as computed by the Employment Security Commission, nor less than \$18 weekly, from the date of death, until such time as provided for in the following paragraph. Such weekly compensation shall be adjusted annually on July 1st so that it continues to bear the same percentage relationship to the average weekly wage in the State of Maine as computed by the Employment Security Commission, as it did at the time of the injury.

**Sec. 5. Effective date.** This Act shall become effective January 1, 1972. This Act shall only apply to injuries occurring after its effective date.