

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINETEENTH LEGISLATURE

FIRST REGULAR SESSION
December 2, 1998 to June 19, 1999

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 18, 1999

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1999

CHAPTER 359

H.P. 598 - L.D. 838

An Act to Provide Paralegal Assistants to the Workers' Compensation Advocate Program and an Auditor to the Monitoring, Auditing and Enforcement Program

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

Sec. 1. 39-A MRSA §154, sub-§6, as amended by PL 1997, c. 486, §5, is further amended to read:

6. Assessment levied. The assessments levied under this section may not be designed to produce more than \$6,000,000 in revenues annually beginning in the 1995-96 fiscal year ~~or~~ more than \$6,600,000 annually beginning in the 1997-98 fiscal year or more than \$6,735,000 beginning in the 1999-00 fiscal year. Assessments collected that exceed \$6,000,000 beginning in the 1995-96 fiscal year ~~or~~ \$6,600,000 beginning in the 1997-98 fiscal year or \$6,735,000 beginning in the 1999-00 fiscal year by a margin of more than 10% must be refunded to those who paid the assessment. Any amount collected above the board's allocated budget and within the 10% margin must be used to create a reserve of up to 1/4 of the board's annual budget. Any collected amounts or savings above the allowed reserve must be used to reduce the assessment for the following fiscal year. The board shall determine the assessments prior to May 1st and shall assess each insurance company or association and self-insured employer its pro rata share for expenditures during the fiscal year beginning July 1st. Each self-insured employer shall pay the assessment on or before June 1st. Each insurance company or association shall pay the assessment in accordance with subsection 3.

Sec. 2. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Act.

	1999-00	2000-01
WORKERS' COMPENSATION BOARD		
Administration - Workers' Compensation Board		
Positions - Legislative Count	(3,000)	(3,000)
Personal Services	\$77,894	\$108,530
All Other	15,075	16,350
Provides funds for the salary, fringe benefits, general operating and		

initial start-up costs to establish one Auditor I position and 2 Paralegal Assistant positions.

WORKERS' COMPENSATION BOARD		
TOTAL	\$92,969	\$124,880

See title page for effective date.

CHAPTER 360

H.P. 1229 - L.D. 1758

An Act to Amend the Victims' Compensation Fund Law

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

Sec. 1. 5 MRSA §3360, sub-§2, as enacted by PL 1991, c. 806, §3, is repealed.

Sec. 2. 5 MRSA §3360, sub-§4, as enacted by PL 1991, c. 806, §3, is amended to read:

4. Eligible expenses and losses. "Eligible expenses and losses" means expenses and losses resulting from a personal injury sustained by an individual as a direct result of a crime specified in subsection 3 and may include medical and medically related expenses, ~~which may include~~ psychological or mental health counseling expenses, lost wages, and funeral and burial expenses. "Eligible expenses and losses" may include costs of eyeglasses, hearing aids, dentures or other prosthetic devices taken, lost, destroyed or damaged ~~as the direct a result of a the crime specified in subsection 3 and costs of crime scene cleanup.~~ Expenses and losses claimed under this subsection must be expenses or losses actually and reasonably incurred.

Sec. 3. 5 MRSA §3360, sub-§6 is enacted to read:

6. Personal injury. "Personal injury" means bodily injury as defined in Title 17-A, section 2, subsection 5 or psychological injury incurred by a victim who has sustained the threat of bodily injury.

Sec. 4. 5 MRSA §3360-B, sub-§1, as amended by PL 1997, c. 378, §5, is further amended to read:

1. Eligibility of victims. The board may award compensation to any individual who:

A. Suffers ~~bodily~~ personal injury as a direct result of a crime specified in section 3360, committed within the jurisdiction of the State;