

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTIETH LEGISLATURE**

**SECOND REGULAR SESSION**  
**January 2, 2002 to April 25, 2002**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 25, 2002**

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

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**2002**

**Administration - Workers' Compensation Board**

Initiative: Allocates funds for one Management Analyst II position and other operating costs associated with determining the permanent impairment threshold.

<b>Other Special Revenue Funds</b>	<b>2001-02</b>	<b>2002-03</b>
Positions - Legislative Count	(0.000)	(1.000)
Personal Services	\$0	\$60,000
All Other	0	5,000
	\$0	\$65,000
Total		

**Administration - Workers' Compensation Board**

Initiative: Allocates funds on a one-time basis for actuarial and arbitration services associated with determining the permanent impairment threshold. The funds allocated for actuarial services of \$60,000 in fiscal year 2002-03 are to be split equally between labor and management. The balance of \$10,000 is allocated for arbitration services.

<b>Other Special Revenue Funds</b>	<b>2001-02</b>	<b>2002-03</b>
All Other	\$0	\$70,000

**WORKERS' COMPENSATION BOARD**

<b>DEPARTMENT TOTALS</b>	<b>2001-02</b>	<b>2002-03</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$0</b>	<b>\$135,000</b>
	<b>\$0</b>	<b>\$135,000</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$135,000</b>

**Sec. 6. Application; retroactivity.** Notwithstanding the Maine Revised Statutes, Title 1, section 302, this Act applies retroactively to pending cases and to injuries occurring on or after January 1, 1993, except that:

1. It does not allow a change in the permanent impairment assessment in an individual case in which a previous final decree finding the extent of permanent impairment has been issued and appeal proceedings have been completed; and
2. It does not permit the reopening of an individual case for which benefits under Title 39-A, section 213 have expired under the Maine Workers' Compensation Act of 1992.

See title page for effective date.

**Sec. 1. 32 MRSA §88, sub-§1, ¶A,** as amended by PL 1997, c. 644, §2, is further amended to read:

A. The board has one member representing each regional council, and ~~40~~ 11 persons in addition. Of the additional persons, one is an emergency physician, one an attorney, two representatives of the public, one a representative of for-profit ambulance services, one an emergency professional nurse, one a representative of nontransporting emergency medical services, one a representative of hospitals, one a representative of a statewide association of fire chiefs, one a fire services provider and one a representative of not-for-profit ambulance services. The members that represent for-profit ambulance services, nontransporting emergency medical services and not-for-profit ambulance services must be licensed emergency medical services persons. One of the nonpublic members must be a volunteer emergency medical services provider. Appointments are for 3-year terms. Members are appointed by the Governor. The state medical director is an ex officio non-voting member of the board.

See title page for effective date.

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**CHAPTER 713**

**H.P. 1745 - L.D. 2219**

**An Act Amending the Membership of the Emergency Medical Services' Board**

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