

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTIETH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**November 13, 2002 to November 14, 2002**

**ONE HUNDRED AND TWENTY-FIRST LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 4, 2002 to June 14, 2003**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**FEBRUARY 13, 2003**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 13, 2003**

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

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2003**

GENERAL FUND	\$500,000	\$500,000
FEDERAL EXPENDITURES FUND	973,188	971,021
DEPARTMENT TOTAL - ALL FUNDS	\$1,473,188	\$1,471,021

See title page for effective date, unless otherwise indicated.

**CHAPTER 470**

**H.P. 109 - L.D. 100**

**An Act to Repeal the Presidential Preference Primary Elections Process**

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

**Sec. 1. 21-A MRSA c. 5, sub-c. 5,** as amended, is repealed.

**Sec. 2. Appropriations and allocations.** The following appropriations and allocations are made.

SECRETARY OF STATE, DEPARTMENT OF THE

Bureau of Administrative Services and Corporations 0692

Initiative: Deappropriates funds to reflect the repeal of the presidential preference primary.

General Fund	2003-04	2004-05
All Other	(\$22,600)	\$0
General Fund Total	(\$22,600)	\$0

See title page for effective date.

**CHAPTER 471**

**S.P. 135 - L.D. 398**

**An Act To Improve Collection of Information about Work-related Injuries and To Enhance Injury Prevention Efforts**

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

**Sec. 1. 39-A MRSA §303,** as amended by PL 1999, c. 354, §5, is further amended to read:

**§303. Reports to board**

When any employee has reported to an employer under this Act any injury arising out of and in the course of the employee's employment that has caused

the employee to lose a day's work, or when the employer has knowledge of any such injury, the employer shall report the injury to the board within 7 days after the employer receives notice or has knowledge of the injury. The employer shall also report the average weekly wages or earnings of the employee, as defined in section 102, subsection 4, together with any other information required by the board, within 30 days after the employer receives notice or has knowledge of a claim for compensation under section 212, 213 or 215, unless a wage statement has previously been filed with the board. A copy of the wage information must be mailed to the employee. The employer shall report when the injured employee resumes the employee's employment and the amount of the employee's wages or earnings at that time. The employer shall complete a first report of injury form for any injury that has required the services of a health care provider within 7 days after the employer receives notice or has knowledge of the injury. The employer shall provide a copy of the form to the injured employee and retain a copy for the employer's records but is not obligated to submit the form to the board unless the injury later causes the employee to lose a day's work. The employer is also required to submit the form to the board if the board has finally adopted a major substantive rule pursuant to Title 5, chapter 375, subchapter 2-A to require the form to be filed electronically.

**Sec. 2. 39-A MRSA §401, sub-§5-A** is enacted to read:

**5-A. Working group on data collection and injury prevention.** The Department of Labor, Bureau of Labor Standards shall convene a working group beginning not later than October 1, 2003 to evaluate data on work-related injuries and identify ways to reduce the incidence of such injuries. The bureau shall include in the group representatives of the board, labor, employers, occupational health practitioners, safety experts, insurers and others that the bureau considers useful and necessary to the group. The group shall review existing data collection efforts and the structure within State Government for evaluating and improving injury prevention efforts in the workplace. The group shall identify ways to improve data collection, analysis and injury prevention programs in the State. The bureau shall report the recommendations of the group by January 1, 2005 and January 1, 2006 to the Governor and to the joint standing committees of the Legislature having jurisdiction over labor matters and over insurance matters. Those committees are authorized to report out legislation in response to the recommendations to the First Regular Session of the 122nd Legislature and the Second Regular Session of the 122nd Legislature. The bureau may continue the group as long as it considers such a group useful in understanding the causes and