

MAINE STATE LEGISLATURE

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**STATE OF MAINE
114TH LEGISLATURE
FIRST REGULAR SESSION**



**BILL SUMMARY
JOINT STANDING COMMITTEE
ON
LABOR**

JULY 1989

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Sen. Zachary E. Matthews
Sen. R. Peter Whitmore

Rep. Edward A. McHenry *
Rep. Tony J. Tamaro
Rep. Richard P. Ruhlin
Rep. Anne M. Rand
Rep. M. Ida Luther
Rep. Elden McKeen
Rep. Edward L. Pineau
Rep. Gary W. Reed
Rep. Jeffrey H. Butland
Rep. John S. McCormick, Jr.

* Denotes Chair

Staff: Gilbert Brewer, Legislative Analyst

Office of Policy & Legal Analysis
Room 101, State House Sta. 13
Augusta, ME 04333
(207) 289-1670

MARTHA E. FREEMAN, DIRECTOR
WILLIAM T. GLIDDEN, PRINCIPAL ANALYST
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JOHN B. KNOX



STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107/135
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL: (207) 289-1670

ANNIKA E. LANE
EDWARD POTTER
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HARTLEY PALLESCHI, JR., RES. ASST

ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
AUGUST 1989

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The summaries are arranged by LD number for each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action is listed to the right of the title. If final House and Senate action differ, both are listed. Committee Reports and Floor Action are abbreviated as follows:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-A	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

Each individual summary was prepared by the analyst assigned, as noted for each committee. But, this document was produced by the efforts of all the office staff, including Research Assistant Barbara McGinn, and secretaries: Charlene Brann, and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

Please give us your suggestions and comments on these summaries and tell us of any inaccuracies.

LD 915 An Act to Define the Burden of Proof in Workers' Compensation Claims

ONTP

SPONSOR(S)
BUSTIN
PINEAU
CLARK H
CONLEY

COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED

SUMMARY

LD 915 proposed to reverse the burden of proof in workers' compensation cases by requiring an employer to disprove an employee's claim.

LD 916 An Act to Reduce Hardship for Injured Workers

INDEF PP

SPONSOR(S)
GAUVREAU
BUSTIN
MCKEEN
TRACY

COMMITTEE REPORT
OTP-AM MAJ
ONTP MIN

AMENDMENTS ADOPTED
S-343 MAJ REP

SUMMARY

LD 916 proposed to permit commissioners to issue provisional orders for payment of workers' compensation benefits in limited circumstances when the injured employee was seriously disabled, was financially necessitous and appeared likely to prevail in his claim.

Committee Amendment "A" (S-343) clarified the new provisional order procedure.

LD 924 An Act to Clarify the Method of Obtaining Incapacity Benefits Under the Workers' Compensation Act

PUBLIC 575

SPONSOR(S)
MCHENRY
PRAY
PINEAU
RAND

COMMITTEE REPORT
OTP-AM MAJ
ONTP MIN

AMENDMENTS ADOPTED
H-581 MAJ REP
S-327 DUTREMBLE D

SUMMARY

LD 924 proposed to repeal the current "statewide labor market" limitation upon receiving total incapacity benefits under the Workers' Compensation Act.

Committee Amendment "A" (H-581) redrafted the original bill and made it retroactive to November 20, 1987.

Senate Amendment "A" to Committee Amendment "A" (S-327) completely replaces the bill and simply clarifies that the use of the statewide standard is limited to classifying an injured employee as partially or totally incapacitated. An employee who is partially incapacitated will have his degree of incapacity evaluated under a local labor market standard.