

April 25, 2019

Latest workers' comp bills headed to committee

Two of the three new bills would add considerable costs

The full legislature has sent what is likely the final three workers' compensation bills to the Joint Standing Committee on Labor and Housing for public hearing. One of the bills deals with discrimination of injured workers. The other two make significant systemic changes to Maine's workers' compensation law – the reintroduction of the so called “prevail standard” and the elimination of durational benefits (the cap on the length of time an individual can receive workers' comp benefits) if a workers has a permanent partial disability as the result of a workplace injury. The bills in question are:

- ♦ **LD 1623, *An Act to Improve Employee Representation under the Maine Workers' Compensation Act of 1992 by Amending the Laws Governing Attorney's Fees***, is sponsored by Senate President Troy Jackson (D-Aroostook). This bill will reintroduce the “prevail” standard or process back into Maine's workers' compensation laws. “Prevail” was eliminated under the 1992 Workers' Compensation Blue Ribbon Commission reforms. As drafted, LD 1623 would reinstate the “prevail” standard for attorneys' fees under limited circumstances (medical and related expenses and on appeals to either the Appellate Division or Law Court) while also removing the computation of attorneys' fees from the lump sum settlement section of the Act. This bill has been described

to employer representatives as a “trojan horse,” which will allow attorneys' fees to be awarded in nearly every case when medical bills are added to the mix. The true intent of this bill is made clear by the removal of all restrictions on the lawyers' take from any award upon lump sum settlements. This is an extremely controversial bill and holds the chance for far more litigation in an already very litigious system. With that extra litigation comes higher costs. **The Maine State Chamber will be strongly opposing this bill.**

- ♦ **LD 1624, *An Act to Prevent Discrimination under the Workers' Compensation Act of 1992***, is also sponsored by Senate President Troy Jackson (D-Aroostook). LD 1624 would broaden the current prohibition of discrimination against an employee who testifies or asserts any right under the Act (§353). Specifically, the prohibition is broadened to include employees who are asserting any “right,” as well as any “claim,” under the Act and to make clear that the workers' comp claim (or assertion of a right) need not be the primary reason for the employer's action, but just “any portion of the basis” for disciplinary action or termination.
- ♦ **LD 1625, *An Act to Eliminate the Durational Cap on Partial Benefits***

Continued on Page 2...

LD 946 broadly written, ambiguous, and will have negative consequences on small businesses

— **Data privacy should be dealt
with at national level**

EDITOR'S NOTE: The following testimony was delivered by Ben Gilman on behalf of the Maine State Chamber of Commerce in opposition to LD 946, *An Act To Protect the Privacy of Online Customer Information*, at a public hearing held on Wednesday, April 24, 2019, before the Joint Standing Committee on Innovation, Development, Economic Advancement and Business. We have reprinted it here for your review.

Senator Lawrence, Representative Berry, members of the Joint Standing Committee on Energy, Utilities and Technology: My name is Ben Gilman, and I represent the Maine State Chamber of Commerce, a statewide business organization made up of both large and small businesses, here to provide you with our testimony in opposition to **LD 946, *An Act To Protect the Privacy of Online Customer Information***.

The Maine State Chamber of Commerce supports policies and regulations that spur the investment in and build out of high-speed broadband networks for the benefit of Maine residents, businesses, and visitors. The broadband ecosys-

Continued on Page 2...

Inside Impact...

Apprenticeship	p. 3
CS4Maine Coalition	p. 4
Data Privacy	p. 1
Health Care Forum	p. 6
Immigrant Workforce	p. 6
Legislative Social	p. 8
New Legislation	p. 7
Public Hearings	p. 5
Workers' Comp	p. 1
Workforce Development	p. 3

Vol. 53, No. 13 Impact (207) 623-4568

Impact (ISSN 1055-3029) is published weekly January through June and monthly July through December by the Maine State Chamber of Commerce, 125 Community Dr., Suite 101, Augusta, Maine 04330-8010. Periodicals postage paid at Augusta, Maine, and additional mailing offices. Maine State Chamber member companies are assessed \$75.00 yearly for each newsletter subscription (subscribers or out-of-dues assessment). **POSTMASTER:** Please send any address changes to **Impact**, 125 Community Dr., Suite 101, Augusta, Maine 04330-8010.

Chairman of the Board of Directors:
Charles "Wick" Johnson
President: Dana F. Connors

Information in this newsletter is intended to provide guidance, not legal advice. Since exact language and definitions of key terms are critical to understanding the requirements of legislation, rules or laws, we encourage you to read each carefully. Articles and information contained in this newsletter may be reprinted with attribution given to: Maine State Chamber of Commerce. Please address comments to Melanie Baillargeon, director of communications. Information about the Maine State Chamber of Commerce may also be viewed on the Internet at: www.mainechamber.org. Our email address is news@mainechamber.org.

About the Maine State Chamber of Commerce: Since 1889, the Maine State Chamber has been fighting to lower your cost of doing business. Through our Grassroots Action Network and OneVoice program, we work with a network of approximately 5,000 companies statewide who see the value in such a service and provide the financial support that keeps our access, advocacy, and assistance efforts going strong. As Maine's Chamber, we make sure that the business environment of the state continues to thrive. The Maine State Chamber of Commerce advocates on behalf of their interests before the legislature and regulatory agencies and through conferences, seminars, and affiliated programs.

Workers' Comp... (Continued from Page 1...)

under the Workers Compensation Laws, is also sponsored by President Troy Jackson (D-Aroostook) As drafted, LD 1625 would remove the durational limit on partial benefits, magnifying the effect of many other bills this session and adding cost still-to-be-determined by the National Council of Compensation Insurers (NCCI), the insurance group that is responsible for recommending comp rates in Maine. The section that governs benefits under the Comp Act is Section 213. This has long been a point of contention and controversy in the system. Once the purview of the Workers' Compensation Board (WCB), prior to 2012, the law guaranteed that one-in-four injured workers would be entitled to up to lifetime benefits – regardless of work capacity. The ability to qualify for benefits beyond Maine's 520-week (ten-year) limit depended on your percentage of

permanent injury or partial incapacity (PI). The changes made nearly seven years ago tied one's percentage of permanent impairment to one's ability to work. Labor has long chafed at this change, and LD 1625 is in response to that change. Should this bill pass as drafted, every injury that results in a PI will qualify for some form of lifetime benefits. **The cost increases will be staggering.**

As of this date, these three bills have not yet been scheduled for public hearing. Although, with the waiving of the two-week notice requirement for public hearings, they could be heard at any time. All three bills will be reviewed by the NCCI for cost implications on the entire system. They join 22 other comp related bills that will be considered by the Labor and Housing committee before the session ends. It is the intent of the Maine State Chamber to oppose all three bills as drafted.

For more information, please contact Peter Gore by calling (207) 623-4568, ext. 107, or by emailing pgore@mainechamber.org. □

Data Privacy... (Continued from Page 1...)

tem is a major contributor to Maine's economic growth and provides the State with tremendous benefits and opportunities. The Maine State Chamber of Commerce does not believe that Maine, as a single state, should take on the issue of data privacy; this is a national issue and should be dealt with at a national level. To have one set of internet regulations for businesses that operate in Maine, and another for other states, is not a place we believe Maine should be. No state has passed legislation which regulates ISP data privacy practices. If there is a concern that federal regulators lack the will or legal authority to protect consumer interests and pursue "bad actors," I would encourage you to read FTC Chair Simons' recent remarks on this issue.

The small business economy in Maine depends on internet access and related services. The legislature should be very careful to not pass laws which will

have negative unintended consequences on economic activity that is desirable and should be encouraged. LD 946 is so broadly written and so ambiguous that it will have far reaching negative consequences, which cannot be understood without careful study and thought.

For example: Virtually all ISPs offer email and have an email homepage that customers go to, to check email. Offering advertising on that web page is a common source of revenue for the ISP. These are very desirable advertising opportunities for small businesses like real estate brokers or a bed and breakfast. B&Bs and brokers often buy advertising on these pages because they are geographically relevant. This will no longer be possible unless each time the customer, upon checking their email, gives their express affirmative consent. Essentially, the customer will have to request to see advertising. Understandably, virtually no one will opt in to receiving advertising, which effectively means that this type of advertising will cease, resulting in harms to

Continued on Page 4...

Proposal to establish the Maine Workforce, Research, Development and Student Achievement Institute would offer data and insight for workforce development investments

EDITOR'S NOTE: *The following testimony was delivered by Megan Sanborn on behalf of the Maine State Chamber of Commerce in support of LD 1342, An Act To Establish the Maine Workforce, Research, Development and Student Achievement Institute, at a public hearing held on Thursday, April 25, 2019, before the Joint Standing Committee on Innovation, Development, Economic Advancement and Business. We have reprinted it here for your review.*

“Senator Herbig, Representative Daughtry, and esteemed members of the Innovation, Development, Economic Advancement and Business committee: My name is Megan Sanborn, senior government affairs specialist at the Maine State Chamber of Commerce, a statewide business association representing both large and small businesses. It’s an honor and a pleasure to support Representative Daughtry’s bill, **LD 1342, An Act To Establish the Maine Workforce, Research, Development and Student Achievement Institute.**

As a member of the MaineSpark coalition, we support Maine’s goal that by the year 2025, 60% of adults in Maine’s workforce will hold a post-secondary degree or credential of value in demand by Maine employers. We continue to discuss and hear how Maine is faced with a workforce shortage across all sectors and regions. By 2025, Maine will need approximately 158,000 more workers with post-secondary degrees or credentials than exist here today.

The *Making Maine Work* report, a collaborative effort compiled and issued collectively by the Maine State Chamber of Commerce, the Maine Development Foundation, and Educate Maine, reflects a comprehensive review of prior studies and plans issued regarding the Maine economy; the input of dozens of experts; and, the voices of more than 1,000 Maine business and professional leaders. Three of the top five areas that respondents believe need to be prioritized are policies and investments that leverage and increase the size and skills of Maine’s current workforce.

The Maine Education Policy

Research Institute (MEPRI) has been successful and important to the Legislature’s Education committee by providing public objective data, policy research, and evaluation. As a result, MEPRI research and researchers have established and maintained a high level of credibility.

The Maine State Chamber believes there is a great need for our state and economy to establish the Maine Workforce, Research, Development and Student Achievement Institute, modeled similarly to the MEPRI model and funded jointly by the State and the University System. For a state that has long been facing a workforce shortage, we believe that Maine, this committee, and the Legislature would benefit from this in order to conduct research and evaluation, led by the University System to inform the Legislature’s policymaking and investments of the State and other stakeholders about programs and policies related to research and development, economic and workforce development, student debt, and other areas within the committee’s jurisdiction on an ongoing basis.

The printed bill proposes a steering committee membership that reflect those of the current MEPRI steering committee membership. We understand that the University System has presented an amendment to this portion of the bill and support the change of representation on the steering committee.

Thank you for the opportunity to provide you with our support for LD 1342.”

For more information on education and workforce policy, please contact Megan Sanborn by calling (207) 623-4568, ext. 108, or by emailing msanborn@mainechamber.org. □

LD 890 seeks to address increasing emphasis on the need for well-trained and well-educated employees through apprenticeships and licensure

The Maine State Chamber of Commerce testified in support of **LD 890, An Act To Expand Workforce Access by Creating Apprenticeship Programs To Increase Access to Licensure in Certain Occupations**, sponsored by Sen. Lisa Keim (R-Oxford). As a member of the MaineSpark coalition, the Maine State Chamber supports Maine’s goal that by the year 2025, 60% of adults in Maine’s workforce will hold a post-secondary degree or credential of value in demand by Maine employers.

With educational attainment levels rising in the modern economy and the growing need for skilled workers, there is an increasing employer emphasis on the need for well-trained and well-educated employees. Therefore, the Maine State Chamber believes that education or training is needed beyond a high school diploma. This among other concerns have been expressed to the bill sponsors, and amendments are being worked on to address these concerns. The Maine State Chamber supported these bills rather than to testify “neither for nor against” because of the importance of workforce development and the concept of these bills. The Maine State Chamber also believes that the committee will be able to work out the kinks and make the bill(s) successful.

Maine is faced with a workforce shortage across all sectors and regions,

Continued on Page 5...

small businesses, like realtors, in Maine.

LD 946 singles out ISPs yet allows other types of internet companies continued use of consumer information. This approach harms more than it helps. The Maine State Chamber is concerned that consumers will think they are protected when they aren't.

For example: Consider a simple search for diapers. A consumer goes online to a search engine and types in cotton diapers. The ISP doesn't know that the consumer searched for cotton diapers because search engines are encrypted, but the search engine is aware of the search parameters. In this example, using the most popular search engine, the top ten websites offered by the search engine are all "https" sites, which means they are encrypted. So, the ISP doesn't know which site the consumer clicks on, although the search engine does. Once on the cotton diaper site, the customer reads reviews, clicks on various options, and makes a purchase. Again, the ISP has no visibility into the browsing of the consumer as it is all on an encrypted website. However, the website knows and so do the data brokers and web optimization companies who operate in the back of the cotton diaper website. Large amounts of the consumer's information are being collected, and presumably used, but none of it by the ISP and likely without the consumer's knowledge or understanding.

One of the reasons that no state has passed ISP-only legislation is because they have learned that seeking to regulate a minor actor who has increasingly less access to information is problematic without more information. Limiting one actor's access to information, when other companies in the internet economy – such as data brokers, edge providers, website operators, search engines, and application operators – have access to the same and more information, is of limited value. Many states are wrestling with what, if anything, to do about this, and many of them are taking a step back to better understand what actual consumer protections are necessary. As an example, Vermont directed its Attorney General to

CS4Maine Coalition needs business' voice in support of LD 1832

Proposal supports two of the coalition's goals directly and sets up systems to help move toward others

We are excited to share some exciting news with the CS4Maine Coalition. **LD 1382, An Act to Establish Computer Science Courses and Content in Kindergarten to Grade 12 Schools**, will soon have a public hearing before the Education and Cultural Affairs committee. This bill supports many of the CS4Maine Coalition's goals for which you pledged your support. As a reminder, those goals are:

- 1 Fund computer science professional development for teachers;
- 2 Offer computer science in all high schools by 2022;
- 3 Offer computer science learning opportunities in all grade levels by 2025;
- 4 Allow computer science courses to count toward high school graduation requirements across the state; and,
- 5 Determine and implement appropriate K-12 computer science standards.

LD 1382 will support goals 1 and 5 directly, as well as set up systems which could help us move toward the other goals in the coming years. In order to see this bill's success, we are going to need as many people as possible to share why this kind of work is important to them, their organizations, and to Maine as a whole.

This is where you come in! Your legislative representatives need to hear from you about the importance of this bill and this work. There are a couple of ways you can do this:

- 1 Use the online form at <https://www.votervoice.net/Code/campaigns/64723/respond> to create an email to your representatives, senators, and governor automatically based on your address. There is some starting language in an email template for you, but please feel free to personalize it with your own story; or,
- 2 You can contact your representatives directly and tell them the importance of LD 1382:
 - a Find your senator by visiting <https://legislature.maine.gov/senate-home-page/find-your-state-senator>;
 - b Find your representative by visiting <http://legislature.maine.gov/house/house/MemberProfiles/ListAlpha>; and,
 - c Contact the Governor by visiting <https://www.maine.gov/governor/mills/contact>.

For more information, please contact Megan Sanborn by calling (207) 623-4568, ext. 108, or by emailing msanborn@mainechamber.org. □

make a study of the issue and come back with recommendations, and Rhode Island is engaged in a similar activity. The Maine State Chamber supports this approach and believes it is much more likely to result in positive outcomes for consumers.

Thank you for the opportunity to provide you with our testimony."

For more information on energy, utilities, or technology policy issues, please contact Ben Gilman by calling (207) 623-4568, ext. 111, or by emailing bgilman@mainechamber.org. □

Public Hearings

Public hearings are open to everyone. This public hearing schedule is subject to change. Questions may be directed to the Secretary of the Senate's Office at (207) 287-1540. For the most current schedule, please visit <http://legislature.maine.gov/committee/#Committees> or contact the committee clerk.

A total of 326 business-related bills have been tracked to date since the session began on January 2, 2019!

Monday, April 29, 2019

Labor and Housing

9:00 a.m.; Cross Building, Room 202

LD 596, An Act To Prevent the Closure of Maine Businesses (Pres. Jackson of Aroostook)

Wednesday, May 1, 2019

Education and Cultural Affairs

9:00 a.m.; Cross Building, Room 208

LD 309, An Act To Eliminate the Regional Adjustment for Public School Systems (Rep. Stewart of Presque Isle)

LD 385, An Act To Base School Funding on the Number of Students Sent by a Town to a Regional School Unit (Rep. Ackley of Monmouth)

LD 712, An Act To Fully Fund After-school and Preschool Programs in the School Funding Formula, Increase the Economically Disadvantaged Student Factor in the School Funding Formula and Increase the School Construction Debt Service Limit (Rep. Brennan of Portland)

Education and Cultural Affairs

1:00 p.m.; Cross Building, Room 208

LD 468, An Act To Require That the State Fund on an Ongoing Basis a Minimum of 50 Percent of the Costs Associated with Public Preschool Programs (Rep. Farnsworth of Portland)

LD 1043, An Act To Establish Universal Public Preschool Programs (Rep. Kornfield of Bangor)

LD 1428, An Act To Require the State To Fund 50 Percent of Public Preschool Programs (Sen. Millett of Cumberland)

Energy, Utilities and Technology

9:00 a.m.; Cross Building, Room 211

LD 1614, Resolve, Establishing the Commission To Study the Economic, Environmental and Energy Benefits of Energy Storage to the Maine Electricity

Industry (Rep. Riley of Jay)

Thursday, May 2, 2019

Education and Cultural Affairs

1:00 p.m.; Cross Building, Room 208

LD 155, An Act To Ensure Transparency in College Costs (Sen. Miramant of Knox)

LD 860, An Act To Establish the Maine Community College System No-cost Tuition Program (Rep. Brennan of Portland)

LD 1283, Resolve, To Advance College Affordability by Convening a Task Force To Recommend a Sustainable Funding Model for Maintaining Maine's Public Higher Education Infrastructure (Rep. Jorgensen of Portland)

Health Coverage, Insurance, and Financial Services

1:00 p.m.; Cross Building, Room 220

LD 132, An Act To Eliminate Insurance Rating Based on Age, Geographic Location or Smoking History and To Reduce Rate Variability Due to Group Size (Rep. Brooks of Lewiston)

Taxation

1:00 p.m.; State House, Room 127

LD 1520, An Act To Create and Sustain Jobs through Development of Cooperatives and Employee-owned Businesses (Sen. Libby of Androscoggin)

LD 1585, An Act To Allow the City of Augusta To Adjust the Definition of "Original Assessed Value" for the City of Augusta's Performance Food Group Municipal Tax Increment Financing District and To Validate the Assessment, Commitment and Collection of Property Taxes Dedicated for the District for the Fiscal Years 2018-19 and 2019-20 (Sen. Pouliot of Kennebec)

LD 1586, An Act To Promote Major Food Processing and Manufacturing Facility Expansion and To Create Jobs in Maine (Pres. Jackson of Aroostook)

Continued on Page 6...

Apprenticeship...

(Continued from Page 3...)

and by 2025, Maine will need approximately 158,000 more workers than exist here today. For a state facing an enormous workforce shortage, we need to establish alternative pathways for our future workforce that ultimately lead to an increase of workers into the workforce earning a pay check and helping our local businesses thrive.

The Maine State Chamber hears from Maine business members that an issue week-to-week is finding hard-working employees that can show up on time, drug free, and stay until the end of the day. We feel that this bill will provide a step in the right direction to get more people into the skilled professions, thereby increasing the overall size of the Maine work force.

The Maine State Chamber applauds the Maine Department of Labor for the work it is doing with the Maine Apprenticeship Program. We are lucky to live in a state with such a forward-thinking approach to apprenticeships and a corresponding desire to expand the available pool of employees. In our view, this bill simply streamlines access to both state and federal apprenticeship programs where Maine has greater educational requirements than most states for the professions included in the bill.

The Maine State Chamber of Commerce is committed to all endeavors that will help provide additional employment opportunities for Maine people as well as skilled employees for our members, and to that end, we welcome any chance to participate in any creative solution to the Maine workforce shortage. For more information on education and workforce policy, please contact Megan Sanborn by calling (207) 623-4568, ext. 108, or by emailing msanborn@mainechamber.org. □

Maine's Untapped Talent: Our Immigrant Workforce

An employer summit on how to hire, promote, and retain from this talent pool of foreign trained professionals

Thurs., May 2 | 7:00 a.m. to 1:00 p.m.
**University of Southern Maine,
Hannaford Hall**
(88 Bedford St., Portland 04104)

Opening remarks by video from the Honorable George J. Mitchell, Former U.S. Senate Majority Leader, and keynote remarks from Jeff Sanders, president of the Maine Medical Center. General admission is \$45, and non-profit organization registration is \$35. For more information, please contact the Portland Regional Chamber of Commerce by calling (207) 772-2811 or by emailing Chamber@portlandregion.com. □

Public Hearings... (Continued from Page 5...)

Friday, May 3, 2019

Education and Cultural Affairs

**9:00 a.m.; Cross Building, Room 208
LD 161**, An Act To Increase Access to Career and Technical Education (Sen. Woodsome of York)

LD 358, An Act To Fully Fund Career and Technical Education for Fiscal Year 2018-19 (Sen. Woodsome of York)

LD 504, An Act To Enhance the Development of Innovative Career and Technical Education Programs (Rep. Higgins of Dover-Foxcroft)

LD 1036, Resolve, Establishing a Task Force To Study the Creation of a Comprehensive Career and Technical Education System To Support Workforce Development (Rep. Higgins of Dover-Foxcroft)

LD 1267, An Act To Allow the Awarding of Graduation Credits by Career and Technical Education Centers and Regions (Sen. Pouliot of Kennebec)

LD 1606, An Act To Increase Funding for Career and Technical Education Programs (Sen. Dill of Penobscot) □

Health Care Forum

Wednesday, May 22 | 9:00 a.m. to noon
Bangor Savings Bank, Senator Way, Augusta



Health care and health insurance was the single biggest public policy issue that impacted - and motivated - voters this past November at the polls. Newly-elected officials from both sides of the aisle - in Maine and in Washington - have pledged to do something "meaningful" to address cost and access to health care. On May 22, the Maine State Chamber of Commerce is hosting its annual informative and timely presentation on the status of health care here and beyond, and what you as a business in Maine need to know as we head into 2019, and what specifically is being considered here in Maine this session. We will be joined by Katie Mahoney, director of health care policy and a national speaker from the U.S. Chamber of Commerce, as well as other state-based experts on health insurance and health care delivery.

To register for this event, please visit mainechamber.org or contact Angie Arno by calling (207) 623-4568, ext. 104, or by emailing aarno@mainechamber.org.

Thank You to Our Sponsors!

Premier Sponsor: Harvard Pilgrim Health Care

Presenting Sponsor: Anthem Blue Cross and Blue Shield

Program Sponsors: Central Maine Health Care; Community Health Options; Cross Insurance; Martin's Point Health Care; University of New England

Supporting Sponsor: MaineHealth

Digest of New Legislation

Maine Chamber staff have studied each of these recently printed bills to assess potential impact on business trends. If you have concerns regarding any bill, please communicate those concerns to a member of our governmental services staff at (207) 623-4568.

ENVIRONMENTAL

LD 16, An Act To Create a Single-payer Health Care Program in Maine. (Rep. Sylvester, D-Portland) *Joint Standing Committee on Health Coverage, Insurance and Financial Services.* This bill establishes a single-payer health care program in the State that provides health care services for Maine residents. The bill directs the Department of Health and Human Services to consult with the Department of Labor and the Department of Professional and Financial Regulation, Bureau of Insurance to develop the program. The bill requires the State to implement the program in 3 phases, based on income, beginning in 2022 for those residents not eligible for the MaineCare program. The bill also creates the Single-payer Implementation Task Force to advise the departments and make recommendations to fully implement the single-payer health care program. The program may not be implemented in 2022 without prior legislative approval.

HEALTH CARE

LD 1611, An Act To Support Universal Health Care. (Rep. Brooks, D-Lewiston) *Joint Standing Committee on Health Coverage, Insurance and Financial Services.* This bill establishes the Maine Health Plan to provide universal health care coverage to all residents of this State. The bill is modeled on proposed legislation considered in Minnesota.

TAXATION

LD 1629, An Act Regarding Future Evaluations of the Pine Tree Development Zone Program. (Rep. Mastraccio, D-Sanford) *Joint Standing Committee on Taxation.* The bill strikes the provision that requires that the Pine Tree Development Zone Program be reviewed by January 15, 2021 by OPEGA.

WORKERS' COMPENSATION

LD 1623, An Act To Improve Employee Representation under the Maine Workers' Compensation Act of 1992 by Amending the Laws Governing Attorney's Fees. (President Jackson, D-Aroostook) *Joint Standing Committee on Labor and Housing.* This bill amends the law governing attorney's fees under the Maine Workers' Compensation Act of 1992. The bill:

- 1 Requires employers to pay reasonable costs and attorney's fees if the employee prevails on a disputed petition for payment of medical and related expenses or if the employee prevails in an appeal that is decided by the Appellate Division or by the Law Court; and,
- 2 Removes language governing the specific computation of attorney's fees for lump-sum settlements.

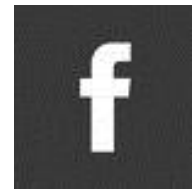
LD 1624, An Act To Prevent Discrimination under the Maine Workers' Compensation Act of 1992. (President Jackson, D-Aroostook) *Joint Standing Committee on Labor and Housing.* Current law provides that an employer may not discriminate against an employee for asserting a workers' compensation claim. In *Maietta v. Town of Scarborough*, 2004 ME 97, 854 A.2d 223, the Law Court interpreted this provision as prohibiting discrimination against an employee only if the assertion of the workers' compensation claim was the primary basis or cause for the employer's adverse action against the employee. This bill amends the law to specify that if an employee's assertion of a workers' compensation claim or right constitutes any part of the basis upon which an employer decides to discipline or terminate an employee, it is a violation of the prohibition.

LD 1625, An Act To Eliminate the Durational Cap on Partial Benefits under the Workers' Compensation Laws. (President Jackson, D-Aroostook) *Joint Standing Committee on Labor and Housing.* Current law limits to 520 weeks the duration of workers' compensation benefits for partial incapacity due to injuries occurring on or after January 1, 2013. This bill removes that durational cap. □

Stay connected
with the latest
updates!



[twitter.com/
MaineChamber](https://twitter.com/MaineChamber)



[facebook.com/
MaineChamber](https://facebook.com/MaineChamber)



[instagram.com/
mainechamber](https://instagram.com/mainechamber)



[linkedin.com/company/
mainechamber](https://linkedin.com/company/mainechamber)



[youtube.com/
MaineChamber](https://youtube.com/MaineChamber)

Periodicals

Postage Paid

Lisbon, ME

125 Community Drive, Suite 101
Augusta, Maine 04330-8010



MAINE
S T A T E
CHAMBER
of
COMMERCE



LEGISLATIVE STRICTLY SOCIAL

Tuesday, April 30 ♦ 5:00 to 7:00 p.m.
Senator Inn & Spa, Augusta

Light hors d'oeuvres and cash bar available

The Maine State Chamber of Commerce, in partnership with the Kennebec Valley Chamber of Commerce, invites you to our **FREE Legislative Strictly Social**. This annual networking reception is an ideal way for Maine's legislators and business leaders to interact in a relaxed setting.

Please **RSVP** before **5:00 p.m.** on **Monday, April 29** by emailing aarno@mainechamber.org.

THANK YOU TO OUR GENEROUS SERIES SPONSORS!

Casella Waste Systems, Eastern Region; Central Maine Power Company; Headlight Audio Visual, Inc.;
Maine Department of Economic and Community Development; VHB