

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Enhance the Workers' Compensation Board Advocate Program

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

Sec. 1. 2 MRSA §6-E, sub-§2, as enacted by PL 1993, c. 145, §1, is amended to read:

2. General counsel. The salary of the general counsel is within salary range ~~8689~~.

Sec. 2. 39-A MRSA §153-A, sub-§3, ¶A, as enacted by PL 1997, c. 486, §4, is amended to read:

A. The minimum qualifications for employment as an advocate must include at least the following:

~~(1) A 6-year combination of appropriate experience, education and training in advocacy or dispute resolution;~~

(1-A) Admission to practice law in the State and current registration with the Board of Overseers of the Bar or eligibility for admission to practice law in the State, as long as the advocate is admitted to practice law in the State and is registered with the Board of Overseers of the Bar within 12 months of the date the advocate was hired;

(2) Knowledge of administrative, adjudicatory or workers' compensation laws, rules and procedures;

(3) Knowledge of legal documents, court procedures and rules of evidence; and

(4) Knowledge of medical and legal terminology and practices with respect to workers' compensation.

Sec. 3. Transition. Notwithstanding the Maine Revised Statutes, Title 39-A, section 153-A, subsection 3, paragraph A-1, an individual that is employed by the Workers' Compensation Board as an advocate on the effective date of this Act continues to serve as an advocate regardless of whether that individual meets the minimum qualifications established by this Act. An advocate hired on or after the effective date of this Act must meet the minimum qualifications established by this Act. An individual employed by the Workers' Compensation Board as a paralegal assistant on the effective date of this Act continues to serve as a paralegal subject to the applicable collective bargaining agreement.

Sec. 4. Appropriations and allocations. The following appropriations and allocations are made.

WORKERS' COMPENSATION BOARD

Administration - Workers' Compensation Board

Initiative: Allocates funds for reclassification of 11 Worker Advocate positions from range 24 to range 27, reclassification of one Worker Advocate position (range 24) to Deputy Senior Staff Attorney Position (range 29), reclassification of 1 Senior Staff Attorney position from range 29 to range 33, reclassification of 1 General Counsel position from range 86 to range 89, and reclassification of 6 Paralegal Assistant positions (range 18) to Paralegal positions (range 20).

OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
Personal Services	\$161,249	\$161,249
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$161,249	\$161,249

SUMMARY

This bill requires that individuals hired as worker advocates by the Workers' Compensation Board on or after the effective date of this legislation either be admitted to practice law in the State or be eligible to practice law in the State upon hiring and, within 12 months of hiring, be admitted to practice law in the State.

This bill also increases the salary of the general counsel from salary range 86 to salary range 89 and reclassifies numerous additional positions.