

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE OF MAINE
SENATE
100th LEGISLATURE

SENATE AMENDMENT "B" to H.P. 255, L.D. 369, Bill, "An Act Relating to
Costs of Witness and Attorney Fees Under Workmen's Compensation
Act."

Amend said Bill by striking out all of the underlined paragraph
at the end and inserting in place thereof the following underlined
paragraph:

" ' The Industrial Accident Commission may in its judgment, if
necessary, and in its discretion, allow to the party in whose favor
judgment is entered, costs of witness fees and a reasonable attorney
fee, not exceeding 20% of the award, and a reasonable fee not ex-
ceeding \$50 for any one witness, or \$150 in any one case, for medical
witnesses residing in the State when in its judgment the services of
an attorney and medical witnesses were necessary for the proper pre-
sentation of the case. When, however, at a reasonable time prior to
any hearing, compensation has been offered and the amount then due has
been tendered in good faith or paid, the reasonable allowance for at-
torney fee shall be based upon only that part of the judgment or award
in excess of the amount of compensation theretofore offered, tendered
in good faith or paid. When the amount of the award, or when that
part of the award in excess of compensation offered, tendered in good
faith or paid as aforesaid, is less than \$200, an attorney fee may be
allowed not in excess of \$50.' "

Filed by Senator LOVELL of YORK.

Reproduced and distributed pursuant to Senate Rule #11A.

(Filing #S-128)

4/21/61