

MAINE STATE LEGISLATURE

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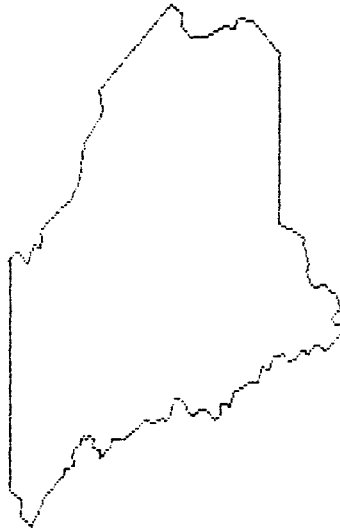


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STATE OF MAINE
ONE HUNDRED AND ELEVENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON
Labor

BILL SUMMARY



JULY, 1983

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1416 AN ACT TO PROTECT UNEMPLOYED WORKERS Connolly PL 1983, c. 246
FROM LOSS OF UNEMPLOYMENT BENEFITS (ND of LD 494)
WITHOUT THE OPPORTUNITY FOR A FAIR
HEARING

SUMMARY: of LD 494: When a new issue is raised on an unemployment compensation claimant's right to continue receiving benefits, benefits may not be terminated until a new determination has been made and benefits received in the interim need not be repaid by the claimant; interested parties may request a hearing on the determination, which shall be held between 5 and 30 days after the new determination, and the claimant may elect to continue receiving benefits until the hearing date, although they may later be collected from the claimant as an overpayment.

SUMMARY of LD 1416: Provides the opportunity for notice and hearing before a claimant's unemployment benefits are cut off, but balances cost concerns by providing the opportunity for a fact-finding interview rather than a full evidentiary hearing on new information or issues that arise after benefits have started; also leads to fair decision-making by limiting the type of evidence that may be considered by the deputy after the interview.

1429 AN ACT TO ESTABLISH A STATE STANDARD FOR FUNDING CERTAIN WORKERS UNDER THE WORKERS' COMPENSATION COMMISSION Theriault OTP-A.
Martin, J. PL 1983, c. 338
Beaulieu (emerg.)
Violette

SUMMARY: Amends Workers' Compensation law to prevent situations where an unreasonably high proportion of woodsman's pay is designated as equipment allowance, thereby reducing the average weekly wage that his compensation benefits are based on.

COMMITTEE AMENDMENT "A" (H-205): adds emergency clause; makes it clear that the equipment allowance will be based only on a negotiated contract between woodsman and employer, not just any contract put forth by an employer, or if not covered by such a contract, on Dept. of Labor figures.

HOUSE AMENDMENT "A" (H-214): adds emergency clause and other provisions of committee Amendment; corrects technical error (Ketover) (Adopted).

1460 AN ACT RELATING TO ATTORNEYS' FEES UNDER THE WORKERS' COMPENSATION LAW Lewis M-ONTIP
m-OTP-A
H-indef. pp
S-Acc. M
(ONTIP) rep.

SUMMARY: Each party in a workers' compensation appeal must pay own costs; allows Appellate Division or Court to assess costs if it finds appeal was taken for frivolous or vexacious reasons or to delay suit. Comm. Amendment "A" (H-272): Updates all references to attorneys' fees in Workers' Compensation Act to coordinate with the provisions in LD 1460.