

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SECOND LEGISLATURE

Legislative Document

No. 23

H. P. 20

Office of the Clerk of the House

Filed December 31, 1964 under Joint Rule 19A by Mrs. Baker of Winthrop.
To be printed and delivered to the House of Representatives of the 102nd Legis-
lature.

HARVEY R. PEASE, Clerk

Presented by Mrs. Baker of Winthrop.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-FIVE

AN ACT Providing for Review of Settlements for Permanent Injuries.

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

R. S., T. 14, §§ 1804-1807, additional. Title 14 of the Revised Statutes is amended by adding 4 new sections, to be numbered 1804 to 1807, to read as follows:

Sec. 1804. Review of settlements for permanent injuries. When a person has been injured and is legally entitled to damages for such injury, and when the results of the said injury appear to be of a permanent nature, or where the extent of the results of the injury cannot readily be determined, said person shall, on petition after 3 years and within 5 years after such settlement, have a review thereof before the Superior Court to determine how much, if any, additional compensation is fair and equitable.

Sec. 1805. Grossly inadequate settlements. If, in the said review, the settlement obtained in the first instance is determined to have been grossly inadequate, said person to whom said settlement was made shall receive triple damages to the extent that the original settlement was in fact inadequate.

Sec. 1806. Grossly inadequate damages defined. It shall be prima facie evidence that damages received in the first instance were grossly inadequate if the medical and other expenses necessary for treatment or amelioration of the results of said injury shall in total exceed the amount of said settlement in the first instance or if payment of damages has been unduly delayed in respect to the date of the injury.

Sec. 1807. No waiver of rights. Any agreement by any individual to waive his rights to benefits or any other rights under sections 1804 to 1806 shall be void.'