

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 1036

H. P. 770

House of Representatives, February 23, 1971

Referred to Committee on Labor. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Genest of Waterville.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

**AN ACT Relating to Benefits Erroneously Received under Employment
Security Law.**

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

R. S., T. 26, § 1051, sub-§ 5, amended. Subsection 5 of section 1051 of Title 26 of the Revised Statutes is amended to read as follows:

5. Refusal to repay erroneous payments. If, after due notice, any person refuses to repay amounts erroneously paid to him as unemployment benefits, the amount due from such person may be collected by a civil action ~~with account annexed~~ brought in the name of the commission or in the discretion of the commission the amount erroneously paid to such person may be deducted from any future benefits payable to him under this chapter. **Provided any person who erroneously receives benefits to which he is not entitled shall not be liable for restitution if the commission finds that the overpayment was not due to fraud, misrepresentation or willful nondisclosure on the part of the recipient, and that the recipient was otherwise without fault and that its recovery would be against equity and good conscience.**

STATEMENT OF FACT

This amendment is designed to relieve innocent recipients of overpayments of the burden and hardship of reimbursement.