

MAINE STATE LEGISLATURE

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New Draft of: H. P. 770, L. D. 1036

ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 1782

H. P. 1365

House of Representatives, May 26, 1971

Reported by Mrs. Lincoln from Committee on Labor and printed under
Joint Rules No. 18.

BERTHA W. JOHNSON, Clerk

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 that the commission, upon review of such overpayment, may in its discretion waive the amount of overpayment, if it finds that the payment was not due to fraud, misrepresentation or willful nondisclosure and that recipient was without fault and that its recovery would be against equity and good conscience.**