

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
106TH LEGISLATURE

SENATE AMENDMENT "A " to H.P. 1584, L.D. 2011, Bill, "AN ACT to Protect the Rights of Injured Persons under the Workmen's Compensation Law."

Amend said Bill by striking out everything after the amending clause and inserting in place thereof the following:

'§ 112. Protection

No statement, except made in proceedings before the Industrial Accident Commission, to any investigator or employer's representative, of any kind, oral or written, recorded or unrecorded, made by the injured employee shall be admissible in evidence or considered in any way in any proceeding under this Title unless:

- 1. It is in writing;
- 2. A true copy of said statement is delivered to the employee by certified mail;
- 3. The employee has been previously advised in writing:
 - A. That the statement may be used against him;
 - B. That the employer (insurance carrier) may have pecuniary interest adverse to the employee;
 - C. The employee may consult with counsel prior to making any statements;
 - D. The employee may decline to make any statement;
 - E. The employer may not discriminate against him in any manner for refusing to make such a statement or exercising

(Filing No. S-243)

in any way his rights under this Title.

This section shall not apply to agreements for the payment of compensation made pursuant to the Workmen's Compensation Act or to the admissibility of statements to show compliance with the notice requirements of sections 63 and 64.'

Statement of Fact

This amendment is necessary to clarify which statements shall be admissible.

(Tanouff)
NAME: 
COUNTY: Penobscot

Reproduced and distributed pursuant to Senate Rule No. 11 A.
June 18, 1973. (Filing No. S-243).