

MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 2010

S. P. 643

Office of the Secretary of the Senate

Filed by the Joint Select Committee on Workmen's Compensation under Joint Rule 17,
pursuant to S. P. 598

MAY M. ROSS, Secretary

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-EIGHT

AN ACT to Facilitate the Making of Decrees by the Industrial Accident Commission.

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

Sec. 1. 39 MRSA § 99, 4th sentence is amended to read:

~~His decision, findings of fact and rulings of law, and any other matters pertinent to the question so raised~~ shall be filed in the office of the commission, and a copy thereof attested by the clerk of the commission mailed forthwith to all parties interested.

Sec. 2. 39 MRSA § 99, 2nd ¶ is enacted to read:

The commissioner shall, upon the request of a party made as a motion within 5 days after notice of the decision, or may upon its own motion, find the facts specially and state separately its conclusions of law thereon and direct the entry of the appropriate judgment. The commission may, upon motion of a party made not later than 10 days after notice of findings made by the commission, amend its findings or make additional findings and, if judgment has been entered, may amend the judgment accordingly.

STATEMENT OF FACT

The purpose of this bill is to facilitate the making of Industrial Accident Commission decisions by giving commissioners an option to not make written findings of fact and conclusions of law. If a party to a dispute requested a written decision the commissioner would be required to make one. The commissioner's option would follow the guidelines of a similar option given to Maine judicial judges in the Maine Rules of Civil Procedure.

This bill is a recommendation of the 1977 Joint Select Committee on Workmen's Compensation.