

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 419

H. P. 308

House of Representatives, February 7, 1979

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

EDWIN H. PERT, Clerk

Presented by Mrs. Beaulieu of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT Relating to Recoupment of Errroneous Payments by the Employment Security Commission.

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

Sec. 1. 26 MRSA § 1051, sub-§ 5, first sentence, as repealed and replaced by PL 1977, c. 460, § 2, is amended to read:

If, after due notice, **and an opportunity for a hearing**, any person refuses to repay amounts erroneously paid to him as unemployment benefits, the amounts due from such person shall be collectable ~~in the manner provided in subsection 6 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 by deduction from benefits that may be or may become payable to the individual.~~ **These deductions shall be limited to not more than 20% of each weekly benefit check otherwise due the claimant.**

Sec. 2. 26 MRSA § 1051, sub-§ 5, as last amended by PL 1977, c. 460, § 2, is further amended by adding at the end a new sentence to read:

The commissioner shall not seek to recover erroneously paid benefits from an individual more than 6 months after the date of receipt of the erroneously paid benefits.

Sec. 3. 26 MRSA § 1051, sub-§ 6, first sentence, as enacted by PL 1977, c. 430, § 3, is amended to read:

Any amounts of benefit payments owed to the commission by any individual **because of nondisclosure or misrepresentation** may be collected by any of the following methods.

STATEMENT OF FACT

The purpose of this bill is to change certain provisions relating to recoupment of erroneous payments.