

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-159)
109TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 312, L.D. 428, Bill, "AN ACT to Amend the Workers' Compensation Laws."

Amend the Bill by striking out all of the title and inserting in its place the following:

'AN ACT Relating to the Payment of Employees' Attorneys Fees in Workers' Compensation Cases.'

Further amend the Bill by striking out everything after the enacting clause and inserting in its place the following:

'39 MRSA §110, as amended by PL 1965, c. 489, §9, is repealed and the following enacted in its place:

§110. Witness and attorney's fees allowable

The commission or commissioner may assess the employer a reasonable attorney's fee to be paid to the employee's attorney whenever the employee prevails on a petition for award, petition for further compensation, petition for medical expenses and all other employee petitions, or whenever the employee successfully defends, in whole or in part, petitions filed by an employer. The commission or commissioner may assess the employer costs of witness fees whenever the witness was necessary to the proper and expeditious disposition of the case.'

Statement of Fact

This amendment changes the present law only by providing that an employer cannot be required to pay an attorney's fee to lawyers who file employee petitions which are denied by the commission.

Reported by the Minority of the Committee on Labor
Reproduced and distributed under the direction of the
Clerk of the House.
4/3/79 (Filing No. H-159)