

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 311

H. P. 281

House of Representatives, January 20, 1981

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

EDWIN H. PERT, Clerk

Presented by Mr. Brenerman of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

**AN ACT to Permit the Workers' Compensation Commission to Grant a Rehearing
on the Ground of Newly Discovered Evidence.**

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

39 MRSA § 99-C is enacted to read:

§ 99-C. Petition

Upon the petition of either party a single commissioner may reopen and review any agreement, award or decree where there is newly discovered evidence and where injustice might otherwise result.

STATEMENT OF FACT

This change in the Workers' Compensation Law has been suggested twice by the Maine Supreme Judicial Court. **Anania v. City of Portland** 394A.2d 782, 784 (1978). The change permits a commissioner to reopen cases where there is newly discovered evidence which makes the original agreement award or decree unjust.