

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-516)
110TH LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT" **A** " to H.P. 685, L.D. 799, Bill,
"AN ACT to Amend the Workers' Compensation Law."

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

'39 MRSA §104-A, sub-§1, as repealed and replaced by
PL 1977, c. 333, is amended by adding after the 3rd sen-
tence the following new sentences to read:

The employer or insurer may recover from an employee pay-
ments made pending appeal to the Law Court if and to the
extent that the Law Court has decided that the employee
was not entitled to the compensation paid. The commission
shall have full jurisdiction to determine the amount of
overpayment, if any, and the amount and schedule of repay-
ment, if any. The commission, in determining whether or
not repayment should be made and the extent and schedule
of repayment, shall consider the financial situation of
the employee and his family and shall not order repayment
which would work hardship or injustice.'

Statement of Fact

This amendment permits recovery of payments made to an employee prior to a determination on appeal that the employee is not entitled to benefits. At the same time, it provides a mechanism for determining equitable repayment schedules.

(Ridley)

NAME:

Winton T. Ridley

TOWN: Shapleigh

Filed by Mr. Ridley of Shapleigh
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