

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-517)
110TH LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "**B**" 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 §103, as last amended by PL 1979, c. 132, §1, is further amended by adding at the end 2 new paragraphs to read:

The employer or insurance carrier may recover from an employee payments 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 the overpayment and the amount and schedule of repayment, if any.

In determining the extent and schedule of repayment, the commission shall consider the financial circumstances of the employee and shall not order any repayment or schedule of repayment which would cause undue hardship or injustice.'

Statement of Fact

This amendment restores fairness to the system by allowing an employer to recover payments made pending appeal where the Law Court determines that the employee was not entitled to compensation in the first instance.

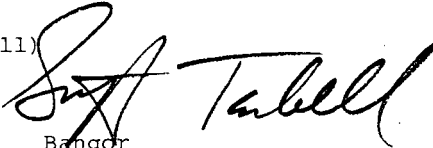
It also gives the commission jurisdiction to determine the amount of overpayment and the schedule of repayment.

(Tarbell)

NAME:

TOWN:

Bangor

A handwritten signature in cursive script, appearing to read "J. A. Tarbell". The signature is written in dark ink and is positioned over the printed name and town information.

Filed by Mr. Tarbell of Bangor

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6/2/81

(Filing No. H-517)