

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 799

H. P. 685

House of Representatives, February 11, 1981

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

EDWIN H. PERT, Clerk

Presented by Representative Conary of Oakland.

STATE OF MAINE

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

AN ACT to Amend the Workers' Compensation Law.

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

39 MRSA § 104-A, sub-§ 1, as repealed and replaced by PL 1977, c. 333, is amended by adding after the 3rd sentence a new sentence to read:

An employer or insurance carrier may recover from an employee payments made pending appeal to the Law Court if the Law Court determines that the employee was not entitled to compensation.

STATEMENT OF FACT

This reverses the holding of a recent Law Court case to the effect that an employee was able to keep benefits paid even though the award was reversed.

The bill permits recovery of payments made pending appeal.