

MAINE STATE LEGISLATURE

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L.D. 1460
(Filing No. H-272)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
111TH LEGISLATURE
FIRST REGULAR SESSION

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COMMITTEE AMENDMENT "A" to H.P. 1107,
L.D. 1460, Bill, "AN ACT Relating to Attorneys' Fees
Under the Workers' Compensation Law."

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Amend the bill by striking out all of sections 1
and 2 and inserting in their place the following:

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'Sec. 1. 39 MRSA §103-B, sub-§4, as enacted by
PL 1981, c. 514, §6, is amended to read:

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4. Costs. Costs of appeal shall be allowed,
including the record, and including reasonable attor-
neys' fees as provided for under section 110. No
attorney who represents an employee before the divi-
sion may receive any fee from that client for that
representation. Any attorney who violates this para-
graph shall lose his fee and is liable in a court
suit to pay damages to the client equal to 2 times
the fee charged that client.

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Sec. 2. 39 MRSA §103-C, sub-§4, as enacted by PL
1981, c. 514, §6, is amended to read:

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4. Costs. In all cases of appeal to the Law
Court, it may order a reasonable allowance to be paid
to the employee by the employer for expenses incurred
in the proceedings of the appeal, including the
record, but not including expenses incurred in other
proceedings in the case. Reasonable attorneys' Attor-
neys' fees shall may be allowed only as provided for
under section 110. No attorney who represents an
employee before the court may receive any fee from
that client for that representation. Any attorney who
violates this paragraph shall lose his fee and is
liable in a court suit to pay damages to the client
equal to 2 times the fee charged that client.'

COMMITTEE AMENDMENT "A" to H.P. 1107, L.D. 1460

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STATEMENT OF FACT

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The purpose of this amendment is to update all references to attorneys' fees in the Workers' Compensation Act to coordinate with section 110, which has the same wording as in the original bill. This more closely models the Connecticut statute as was originally intended.

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Reported by the Minority of the Committee on Labor
Reproduced and distributed under the direction of the Clerk of
the House
5/20/83 (Filing No. H-272)