

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE  
4

5 Legislative Document

No. 341

6  
7 H.P. 271

House of Representatives, February 1, 1985

8 Reference to the Committee on Labor suggested and ordered printed.

9 EDWIN H. PERT, Clerk

10 Presented by Representative Willey of Hampden.

Cosponsored by Senator Twitchell of Oxford, Representative Zirkilton of Mount Desert and Representative Tammaro of Baileyville.

11  
12 STATE OF MAINE  
13

14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-FIVE  
16

17 AN ACT to Require that Workers' Compensation  
18 Cases be Decided on their Merits.  
19

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

22 39 MRSA §94-A, sub-§3, as enacted by PL 1983, c.  
23 479, §19, is repealed and the following enacted in  
24 its place:

25 3. Construction. In interpreting this Act, the  
26 commission shall construe it so as to assure the ef-  
27 ficient delivery of compensation to injured workers  
28 at a reasonable cost to employers. All workers' com-  
29 pensation cases shall be decided on their merits and  
30 the rule of liberal construction shall have no appli-  
31 cation to those cases. Accordingly, this Act is not  
32 to be given a construction in favor of the employee,  
33 nor are the rights and interests of the employer to  
34 be favored over those of the employee.

STATEMENT OF FACT

1

2       Maine's workers' compensation law now requires  
3 that the commission interpret the law liberally in  
4 favor of the employee. This requirement places all  
5 employers at a disadvantage in cases where the legal  
6 interpretation of the law is in question.

7       This bill eliminates this "liberal construction"  
8 rule and requires instead that all cases be decided  
9 on their own merits without giving either party an  
10 advantage. This places both employees and employers  
11 on an equal footing in cases before the commission.

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