

# MAINE STATE LEGISLATURE

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# 114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

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Legislative Document

No. 1251

S.P. 466

In Senate, April 19, 1989

Reference to the Committee on Labor suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator BUSTIN of Kennebec.

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STATE OF MAINE

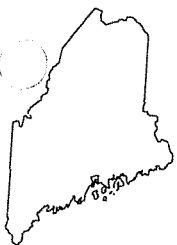
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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-NINE

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An Act Regarding Appeals Under the Workers' Compensation Law to Prevent  
Substantial Injustice to Injured Workers.

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

3 39 MRSA §103-B, sub-§2, as enacted by PL 1981, c. 514, §6,  
5 is amended to read:

7 2. Basis. There shall be no appeal upon questions of fact  
9 found by the commission or by any commissioner except that the  
11 Appellate Division, after considering and weighing all the  
13 evidence, shall reverse, modify or remand, as appropriate, any  
decision, question of law or fact or mixed questions of law and  
fact when it determines there is a substantial likelihood of  
significant injustice to an injured worker or the worker's  
dependents.

15

### STATEMENT OF FACT

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19 This bill amends the basis for review by the Appellate  
21 Division of the Workers' Compensation Commission. Under current  
23 law, there can be no review of issues based on questions of fact  
found by the commissioners. This bill provides the Appellate  
Division the authority to review questions of fact if there is a  
"substantial likelihood of significant injustice" to the worker.