MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 510

S.P. 201

In Senate, February 11, 1991

Reference to the Committee on Labor suggested and ordered printed.

JOY J. O'BRIEN Secretary of the Senate

Presented by Senator ESTY of Cumberland Cosponsored by Senator CONLEY of Cumberland.

STATE OF MAINE

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

An Act to Retain Workers' Compensation Appeals to Correct Manifest Error or Injustice.

(EMERGENCY)



	Emergency preamble. Whereas, Acts of the Legislature do not
2	become effective until 90 days after adjournment unless enacted
.	as emergencies; and
6	\mathbf{W} hereas, unless this legislation is enacted as an emergency, the right of parties to appeal factual determinations made by
8	workers' compensation commissioners will be repealed on June 30, 1991; and
10	Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of
12	Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and
14	safety; now, therefore,
16	Be it enacted by the People of the State of Maine as follows:
18	Sec. 1. 39 MRSA §103-B, sub-§2-A, as enacted by PL 1989, c. 412, §§2 and 5, is repealed.
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	Sec. 2. PL 1989, c. 412, §§4 and 5 are repealed.
22	Sec. 3. PL 1989, c. 412, §6 is amended to read:
24	Sec. 6. Application. Section 1 of this Act applies only to
26	decisions issued by a Workers' Compensation Commission commissioner on or after the effective date of that section.
28	Section-2-of-this-Act-applies-only-to-decisions-issued-by-a Workers'Compensation-Commission-commissioner-on-or-after-the
30	effeetive-date-of-that-seetion.
32	Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.
34	preamble, this Act takes effect when approved.
36	STATEMENT OF FACT
38	This bill repeals the automatic repealer clause and
40	replacement statutory language of Public Law 1989, chapter 412. This ensures that the current law permitting appeals of factual
42	determinations made by a workers' compensation commissioner to correct manifest error or injustice remains in effect.