

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 378

H.P. 280

House of Representatives, January 25, 2005

**An Act Authorizing the Commissioner of Labor To Negotiate
Settlements in Cases of Overpayment of Unemployment
Compensation**

Reference to the Committee on Labor suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative DAVIS of Falmouth.
Cosponsored by Senator BRENNAN of Cumberland and
Representatives: CRESSEY of Cornish, JOY of Crystal, MARLEY of Portland, PINEAU of
Jay, SHERMAN of Hodgdon, STEDMAN of Hartland, SYKES of Harrison, TRAHAN of
Waldoboro.

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

4 **Sec. 1. 26 MRSA §1051, sub-§11** is enacted to read:

6 11. Commissioner may negotiate settlement. The commissioner
8 is authorized to negotiate a settlement with a person who has
10 been erroneously paid unemployment benefits. As part of such a
12 settlement, the commissioner may waive or restructure repayment
14 of the erroneously paid unemployment benefits or any portion of
16 those benefits. This subsection does not affect the authority of
18 the Maine Unemployment Insurance Commission to adopt rules with
20 respect to unemployment insurance pursuant to section 1082,
22 subsection 2.

16 SUMMARY

18 Under current law, the Maine Unemployment Insurance
20 Commission may grant a waiver to a person for repayment of
22 erroneously paid benefits, but the Commissioner of Labor has no
24 such authority to negotiate a settlement for repayment of these
26 benefits. This bill grants the commissioner the authority to
negotiate settlements waiving or restructuring the repayment of
all or any portion of erroneously paid unemployment benefits but
does not affect the authority of the Maine Unemployment Insurance
Commission to grant waivers.