

MAINE STATE LEGISLATURE

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NINETY-FOURTH LEGISLATURE

Legislative Document

No. 899

H. P. 1576

House of Representatives, February 18, 1949

Referred to the Committee on Federal Relations, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Payson of Union by request.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-NINE

AN ACT to Amend the Unemployment Compensation Law to Provide for the Imposition of Administrative Penalties for Misrepresentation in Obtaining Benefits.

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

Subsection (f) of section 5 of chapter 24, R. S., 1944, as amended, is hereby amended to read as follows:

'(f) For any week for which the ~~examiner~~ **deputy** finds that the claimant made a wilful misrepresentation in his application to obtain benefits to which he would otherwise not be entitled, then and in that event, the ~~examiner~~ **deputy** shall notify the claimant of the ~~examiner's~~ **deputy's** findings, whereupon the claimant shall have the right to a hearing, appeal, or review by the commission and appeal to the courts, as is provided by other provisions of this law.

If a hearing is not requested by the claimant, or an appeal taken therefrom, then the decision of the ~~examiner~~ **deputy** shall become final 5 days after personal notice thereof to the claimant, or 7 days after date of mailing notice thereof to the claimant, and the claimant's maximum benefit

amount shall be reduced by an amount equivalent to the number of such weeks of disqualification times his weekly benefit amount, **and whenever the decision of a deputy is predicated upon a claimant's knowingly accepting benefits to which he is not entitled, the appeal tribunal shall, after opportunity for fair hearing, affirm, modify or set aside the decision of the deputy, and if it is found that the claimant did in fact knowingly accept a benefit to which he was not entitled, the claimant shall be ineligible to receive any further benefits for a period of one year from the week for which he first knowingly received such benefit. Appeals from the decision of the appeal tribunal may be taken in the same manner as is provided in section 6 of chapter 24, R. S., 1944, as amended.**