

MAINE STATE LEGISLATURE

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MAINE LEGISLATURE

N I N E T Y - E I G H T H L E G I S L A T U R E

Legislative Document

No. 319

H. P. 224

House of Representatives, January 30, 1957.

Referred to Committee on Labor. Sent up for concurrence and 750 copies ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Hickey of Biddeford.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-SEVEN

AN ACT Relating to Appeals in Workmen Compensation Cases.

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

Sec. 1. R. S., c. 31, § 41, amended. The last sentence of the 1st paragraph of section 41 of chapter 31 of the Revised Statutes is hereby amended to read as follows:

'Such decree shall have the same effect and all proceedings in relation thereto shall thereafter be the same as though rendered in a suit in equity duly heard and determined by said Court, ~~except that there shall be no appeal therefrom upon questions of fact found by said commission or by any commissioner, or where the decree is based upon a memorandum of agreement approved by the Commissioner of Labor and Industry~~ that such appeal therefrom shall be upon questions of law and questions of fact, either or both of them, and such appeal shall be based exclusively on the transcript of the record and testimony in the cause that is the subject matter of such appeal.'

Sec. 2. R. S., c. 31, § 41, amended. The last sentence of the last paragraph of section 41 of chapter 31 of the Revised Statutes is hereby repealed and the following sentence enacted in place thereof:

'Cost may be awarded by the law court in its discretion, including counsel fee and all reasonable expense of such appeal, and also to include, in addition, such expense incurred in such proceedings taken before the Commission or Commissioners that is the subject matter of such appeal, as provided in sections 31 and 32, as the law court may approve as reasonable and proper based upon the record presented to the law court on such appeal.'