

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND ELEVENTH LEGISLATURE

SECOND SPECIAL SESSION

November 18, 1983

AND AT THE

SECOND REGULAR SESSION

January 4, 1984 to April 25, 1984

AND AT THE

THIRD SPECIAL SESSION

September 4, 1984 to September 11, 1984

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH
IN ACCORDANCE WITH MAINE REVISED STATUTES
ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

J.S. McCarthy Co., Inc.
Augusta, Maine
1986

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION
of the
ONE HUNDRED AND ELEVENTH LEGISLATURE
JANUARY 4, 1984 TO APRIL 25, 1984

CHAPTER 643

S.P. 661 - L.D. 1851

AN ACT to Clarify the Procedures to
Appeal a Decision of the Workers'
Compensation Division.

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

Sec. 1. 39 MRSA §103-B, sub-§1, as amended by PL 1983, c. 587, §2, is further amended to read:

1. Procedure. An appeal shall be taken from the commission decision by filing a ~~certified~~ copy of the decision, order or agreement, with the division within 20 days after receipt of notice of the filing of the decision by the commission or commissioner.

Any party in interest may present copies, ~~certified by the clerk of the commission,~~ of any order, decision or agreement to the clerk of the division.

~~The failure of an appellant who timely notifies the division of his desire to appeal to provide a certified copy of the decision, order or agreement appealed from shall not affect the jurisdiction of the division to determine the appeal on its merits unless the appellee shows substantial prejudice from that failure.~~

This section shall apply to cases now pending before the appellate division and to cases hereafter filed.

Sec. 2. 39 MRSA §103-C, sub-§1, as enacted by PL 1981, c. 514, §6, is amended to read:

1. Procedures. Any party in interest may present a copy of the decision of the division, ~~certified by the clerk of the division~~ to the clerk of the Law Court within 20 days after receipt of notice of the filing of the decision by the division. Within 20 days after the ~~certified~~ copy is filed with the Law Court, the party seeking review by the Law Court must file a petition seeking appellate review with the Law Court, setting forth a brief statement of the facts, the error or errors of law which are alleged to exist and legal authority supporting the position of the appellant.

Effective July 25, 1984.