

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

FIRST REGULAR SESSION

---

ONE HUNDRED AND TENTH LEGISLATURE

---

**Legislative Document**

**No. 642**

---

H. P. 566

House of Representatives, February 4, 1981

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

EDWIN H. PERT, Clerk

Presented by Representative Tuttle of Sanford.

Cosponsor: Representative Clark of Millinocket.

---

STATE OF MAINE

---

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

---

**AN ACT to Repeal the Provision Concerning Waiver of an Employee's Rights  
under the Occupational Disease Law.**

---

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

**39 MRSA § 191**, as amended by PL 1977, c. 696, § 414, is repealed.

STATEMENT OF FACT

At present, the Occupational Disease Law permits an employee affected by an occupational disease to waive or limit his compensation for an aggravation of his disease which is caused by him continuing to work in a hazardous trade.

While this provision is rarely, if ever used, it obviously can serve as a means of an employer forcing a worker to give up his rights under the Workers' Compensation Act in order to continue working. No where else does the Workers' Compensation Act permit such waiver. A worker should not be forced to give up his rights to benefits under the law in order to continue working.

This bill repeals this unneeded and unfair section.