MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 489

H.P. 352

House of Representatives, February 9, 2017

An Act To Ensure Firefighters Receive Cancer Treatment Pursuant to the Maine Revised Statutes, Title 39-A

Reference to the Committee on Labor, Commerce, Research and Economic Development suggested and ordered printed.

ROBERT B. HUNT

Presented by Representative SEAVEY of Kennebunkport. Cosponsored by Representative: THERIAULT of China.

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

- **Sec. 1. 39-A MRSA §328-B, sub-§2,** as enacted by PL 2009, c. 408, §1, is amended to read:
- **2. Presumption.** If a firefighter who contracts cancer has met the requirements of subsections 3, 6 and 7, there is a rebuttable conclusive presumption that the firefighter contracted the cancer in the course of employment as a firefighter and as a result of that employment, that sufficient notice of the cancer has been given and that the disease was not occasioned by any willful act of the firefighter to cause the disease.

9 SUMMARY

 Under current law, there is a rebuttable presumption that if a firefighter meeting certain requirements contracts cancer, the cancer was contracted in the course of that employment and as a result of that employment. This bill amends that provision of law to establish the presumption as conclusive, rather than rebuttable.