

MAINE STATE LEGISLATURE

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REVISED STATUTES

OF THE

STATE OF MAINE

1954

1959 CUMULATIVE SUPPLEMENT

ANNOTATED

IN FIVE VOLUMES

VOLUME 1

Place in Pocket of Corresponding
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THE MICHIE COMPANY
CHARLOTTESVILLE, VIRGINIA
1959

Chapter 31.

Industrial Accidents.

The Workmen's Compensation Act.

Sec. 2. Definitions.

II. Employee. "Employee" shall include officials of the state, counties, cities, towns which have accepted the provisions of this act, water districts and all other quasi-municipal corporations of a similar character and every person in the service of another under any contract of hire, express or implied, oral or written, except: (1955, c. 282.)

Effect of amendment.—The 1955 amendment inserted in the introductory paragraph of subsection II the words "officials of the state, counties, cities, towns which have accepted the provisions of this act,

water districts and all other quasi-municipal corporations of a similar character and." As the rest of the section was not changed only the introductory paragraph of subsection II is set out.

Sec. 3. Employers lose common law defenses.

A non-assenting employer has no duty to anticipate an employee's negligence. Lyle v. Bangor & Aroostook R. R. Co., 150 Me. 327, 110 A. (2d) 584.

Employee cannot recover where his negligence is sole proximate cause of injury.—Even though the defense that the employee was negligent is not available to a non-assenting employer under the Work-

men's Compensation Act, where the employee's negligence is not only contributory but is the sole proximate cause of injury such negligence is conclusive. Lyle v. Bangor & Aroostook R. R. Co., 150 Me. 327, 110 A. (2d) 584.

Applied in LeClair v. Wallingford, 152 Me. 342, 129 A. (2d) 631.

Sec. 4. Section 3 not applicable to certain actions; 5 or less employees; farming; domestic service.—The provisions of section 3 shall not apply to employers who employ 5 or less workmen or operatives regularly in the same business. Said provisions shall not apply to actions to recover damages for the injuries aforesaid, or for death resulting from such injuries, sustained by employees engaged in domestic service or in agriculture. (R. S. c. 26, § 4. 1957, c. 343.)

Effect of amendment. — The 1957 amendment deleted former provisions of this section relating to logging operations.

Editor's note.—The case of LeClair v. Wallingford, 152 Me. 342, 129 A. (2d) 631, treated below, was decided prior to the 1957 amendment.

But employer not compelled to accept act as to logging and driving.

In accord with original. See LeClair v. Wallingford, 152 Me. 342, 129 A. (2d) 631.

Any employee engaged in the operation of cutting, hauling, rafting or driving logs, including work incidental thereto, may at the option of his employer be subject to the provisions of the act. Such employee, as a matter of right, does not come within the provisions of the act. LeClair v. Wallingford, 152 Me. 342, 129 A. (2d) 631.

And he may assent to sawmill operation without assenting to logging.

In accord with original. See LeClair v. Wallingford, 152 Me. 342, 129 A. (2d) 631.

Burden is upon employer to exclude such operation in his assent.—The statute puts a burden upon the employer by providing that if the hauling of logs is incidental to his sawmill business he must exclude such operation in his assent, otherwise it will be presumed to be covered by his assent. LeClair v. Wallingford, 152 Me. 342, 129 A. (2d) 631.

Logging excluded from employer's assent.—Where employee at the time of sustaining injury was engaged in the hauling of logs, which operation was excluded from the employer's assent, the case was not within the jurisdiction of the industrial accident commission. LeClair v. Wallingford, 152 Me. 342, 129 A. (2d) 631.

Sec. 6. Insurance; self-insurers; benefit system; notices.

Applied, as to subsection I, in *LeClair v. Wallingford*, 152 Me. 342, 129 A. (2d) 631.

Sec. 8. Employee under act, injured by accident, entitled to compensation.

III. ARISING OUT OF AND IN THE COURSE OF THE EMPLOYMENT.

A. In General.

In order for the accident to arise out of the employment, etc.

In accord with 1st paragraph in original. See *Bouchard v. Sargent, Inc.*, 152 Me. 207, 127 A. (2d) 260.

To rise out of the employment an injury must, etc.

In accord with 1st paragraph in original. See *Bouchard v. Sargent, Inc.*, 152 Me. 207, 127 A. (2d) 260.

Nor does injury resulting from horseplay.

Where the accident arises out of an independent frolic or a bit of horseplay entered into by the employee and unrelated to his work, it has been held not to be compensable. *Bouchard v. Sargent, Inc.*, 152 Me. 207, 127 A. (2d) 260.

That some types of horseplay will occur under some conditions of employment must perhaps be considered inevitable. However, where one deliberately and substantially steps outside of his employment to engage in a personal prank or frolic of his own, he has for the moment abandoned his work and the resulting accident cannot be said to arise out of or in the course of his employment. *Bouchard v. Sargent, Inc.*, 152 Me. 207, 127 A. (2d) 260.

Unless such horseplay should have been foreseen by employer.

In accord with original. See *Bouchard v. Sargent, Inc.*, 152 Me. 207, 127 A. (2d) 260.

Facts and circumstances of each case.—

Sec. 9. Employee entitled to limited medical services; selection of own physician; cost.

Upon knowledge or notice of such injury the employer shall promptly furnish to the employee the services and aids aforesaid. In case, however, the employer fails to furnish any of said services or aids, or in case of emergency or other justifiable cause, the employee may procure said services or aids and the commission may order the employer to pay for the same provided that they were necessary and adequate, and the charges therefor are reasonable. In every case where any of said services or aids are procured by the employee, it shall be his duty to see that the employer is given prompt notice thereof. The commission in its discretion may also require the employer to furnish artificial limbs, eyes, teeth, orthopedic appliances and physical aids made necessary by such injury, and to replace and

The question whether an act of an employee arose out of and in the course of the employment depends ultimately upon the facts and circumstances of each case. *Larou v. Table Talk Distributors, Inc.*, 153 Me. 504, 138 A. (2d) 475.

Deviation from usual or prescribed route.—Whether a deviation by a traveling employee from his usual or prescribed route, schedule, or mode of travel, constitutes such a departure from his scope or course of employment as to deprive him of the right to compensation for an injury sustained during or as the result of such deviation depends ordinarily upon the extent, purpose, and effect thereof. *Larou v. Table Talk Distributors, Inc.*, 153 Me. 504, 138 A. (2d) 475.

It is not every slight deviation that deprives an employee of benefits. *Larou v. Table Talk Distributors, Inc.*, 153 Me. 504, 138 A. (2d) 475.

Attempting to swim stream instead of using boat.—Where employee returning to work after lunch drowned while attempting to swim stream instead of using boat provided by employer for crossing stream, the fatal accident did not arise out of and in the course of employment and was not compensable. *Bouchard v. Sargent, Inc.*, 152 Me. 207, 127 A. (2d) 260.

IV. EVIDENCE AND BURDEN OF PROOF.

Circumstantial evidence held sufficient to show injury by accident arising out of and in the course of employment resulted in employee's death. *Prescott v. Old Town Furniture Co.*, 151 Me. 11, 116 A. (2d) 413.

renew the same when deemed necessary from wear and tear or physical change of the injured employee; but no employer shall be obligated to replace or renew any such items after 500 weeks from the date of injury. In case artificial limbs, eyes and teeth, in use by an employee at the time of the accident as substitutes for natural parts of the body, are themselves injured or destroyed, they shall be repaired or replaced by the employer.

(1959, c. 289.)

Effect of amendment.—The 1959 amendment rewrote the fourth sentence of the second paragraph of this section. Since the

rest of this section was not affected by the amendment, only the second paragraph is set out.

Sec. 11. Compensation for total incapacity.—While the incapacity for work resulting from the injury is total, the employer shall pay the injured employee a weekly compensation equal to $\frac{2}{3}$ his average weekly wages, earnings or salary, but not more than \$39 nor less than \$15 a week; and in no case shall the period covered by such compensation be greater than 500 weeks from the date of the accident, nor the amount more than \$19,500. In the following cases it shall, for the purposes of this act, be conclusively presumed that the injury resulted in permanent total incapacity: the total and irrevocable loss of sight in both eyes, the loss of both hands at or above the wrist, the loss of both feet at or above the ankle, the loss of 1 hand and 1 foot, an injury to the spine resulting in permanent and complete paralysis of the arms or legs and an injury to the skull resulting in incurable imbecility or insanity. (R. S. c. 26, § 11. 1949, c. 380, § 2. 1953, c. 357, § 1. 1955, c. 387, § 1. 1957, c. 404, § 1. 1959, c. 338, § 1.)

Effect of amendments. — The 1955 amendment, effective November 30, 1955, changed the first sentence by substituting "\$30" for "\$27" in line four, and by inserting "\$12,000" in place of "\$10,500" at the end of the sentence.

The 1957 amendment, effective November 30, 1957, substituted "\$35" for "\$30" and "\$14,000" for "\$12,000" in the first sentence.

The 1959 amendment substituted "\$39" for "\$35" and "\$19,500" for "\$14,000" in the first sentence.

Effective date. — P. L. 1959, c. 338, amending this section, provided in section 4 thereof as follows: "The provisions of this act shall take effect on November 30, 1959."

Sec. 12. Compensation for partial incapacity.—While the incapacity for work resulting from the injury is partial, the employer shall pay the injured employee a weekly compensation equal to $\frac{2}{3}$ the difference, due to said injury, between his average weekly wages, earnings or salary before the accident and the weekly wages, earnings or salary which he is able to earn thereafter, but not more than \$39 a week; and in no case shall the period covered by such compensation be greater than 300 weeks from the date of the accident. (R. S. c. 26, § 12. 1949, c. 380, § 3. 1953, c. 357, § 2. 1955, c. 387, § 2. 1957, c. 404, § 2. 1959, c. 338, § 2.)

Effect of amendments. — The 1955 amendment, effective November 30, 1955, substituted "\$30" for "\$27" in line six.

The 1957 amendment, effective November 30, 1957, substituted "\$35" for "\$30" in line six.

The 1959 amendment substituted "\$39" for "\$35" in line six.

Effective date. — P. L. 1959, c. 338, amending this section, provided in section 4 thereof as follows: "The provisions of this act shall take effect on November 30, 1959."

Sec. 13. Compensation for specified injuries; permanent impairment.—In cases of injuries included in the following schedule the incapacity in each such case shall be deemed to be total for the period specified; and after such specified period, if there be a total or partial incapacity for work resulting from the injury, the employee shall receive compensation while such total or partial incapacity continues under the provisions of sections 11 and 12 respectively. The

specific periods during which compensation for presumed total incapacity is to be paid because of the injuries hereinafter specified shall be as follows:

For the loss of a thumb, 50 weeks.

For the loss of the first finger, commonly called the index finger, 32 weeks.

For the loss of the 2nd finger, commonly called the middle finger, 28 weeks.

For the loss of the 3rd finger, commonly called the ring finger, 20 weeks.

For the loss of the 4th finger, commonly called the little finger, 17 weeks.

The loss of the distal (second) phalanx of the thumb or the distal (third) phalanx of any finger shall be considered to be equal to the loss of $\frac{1}{2}$ of said thumb or finger, and the compensation therefor shall be $\frac{1}{2}$ the amount above specified. The loss of more than one phalanx shall be considered as the loss of the entire thumb or finger. In no case shall the amount received for the loss of a thumb and more than one finger of the same hand exceed the amount specified in this schedule for the loss of a hand.

For the loss of the great toe, 25 weeks.

For the loss of one of the toes other than the great toe, 10 weeks.

For the loss of the distal (second) phalanx of the great toe or of the distal (third) phalanx of any other toe shall be considered to be equal to the loss of $\frac{1}{2}$ of said great toe or any other toe, and the compensation therefor shall be $\frac{1}{2}$ the amount above specified. The loss of more than one phalanx shall be considered as the loss of the entire toe.

For the loss of a hand, 150 weeks.

For the loss of an arm, or any part thereof above the wrist, 175 weeks.

For the loss of a foot, 150 weeks.

For the loss of a leg, or any part thereof above the ankle, 175 weeks.

For the loss of an eye, or the reduction of the sight of an eye, with glasses, to $\frac{1}{10}$ of the normal vision, or for diplopia, 100 weeks.

For the total and permanent loss of hearing in one ear, 50 weeks.

For the total and permanent loss of hearing in both ears, 100 weeks.

In all other cases of injury to the above-mentioned members, eyes or hearing where the usefulness of any physical function thereof is permanently impaired, the specific compensable periods for presumed total incapacity on account thereof shall bear such relation to the periods above specified as the percentage of permanent impairment due to the injury to such members, eyes or hearing shall bear to the total loss thereof. The commission upon petition therefor by either party shall determine such percentage. A petition for determination of the percentage of permanent hearing impairment due to an injury shall be filed with the commission within 2 years from the date of the accident. (R. S. c. 26, § 13. 1949, c. 405. 1953, c. 362, § 1. 1957, c. 201, §§ 1, 2; c. 252; c. 393, § 1. 1959, c. 264.)

Effect of amendments.—The first 1957 amendment rewrote the first sentence of the seventh paragraph and deleted the words "provided, however, that" from the last sentence of such paragraph, and rewrote the first sentence of the tenth paragraph. The second 1957 amendment inserted the words "or for diplopia" in the fifteenth paragraph. The third 1957 amendment increased the weekly periods

for specific injuries enumerated in this section and incorporated the changes made by the earlier 1957 amendments. Section 2 of the third amendatory act provided that such act should become effective on November 30, 1957.

The 1959 amendment divided the former provisions of the last paragraph into two sentences, included "hearing" in the first sentence and added the last sentence.

Sec. 15. Compensation for death of employee; how apportioned.—

If death results from the injury, the employer shall pay the dependents of the employee, wholly dependent upon his earnings for support at the time of his accident a weekly payment equal to $\frac{2}{3}$ his average weekly wages, earnings or salary, but not more than \$39 nor less than \$15 a week, from the date of death for a period ending 300 weeks from the date of the accident, and in no case to exceed \$11,700. Provided, however, that if the dependent of the employee to whom com-

pensation shall be payable upon his death is the widow of such employee, upon her death or remarriage compensation to her shall cease; and the compensation to which she would have been entitled thereafter but for such death or remarriage shall be paid to the child or children, if any, of the deceased employee, including adopted and stepchildren, under the age of 18 years, or over said age but physically or mentally incapacitated from earning, who are dependent upon the widow at the time of her death or remarriage. If the dependent is the widower, upon his death the remainder of the compensation which would otherwise have been payable to him shall be payable to the children above specified, if any, who at the time thereof are dependent upon him. In case there is more than 1 child thus dependent, the compensation shall be divided equally among them. Provided further, that except in the case of dependents who are physically or mentally incapacitated from earning, compensation payable to any dependent child under the age of 18 years shall cease upon such child's reaching the age of 18 years or upon marriage.

(1955, c. 387, § 3. 1957, c. 404, § 3. 1959, c. 338, § 3.)

Effect of amendments. — The 1955 amendment, effective November 30, 1955, substituted "\$30" for "\$27" in line five of the first sentence and "\$9,000" for "\$8,000" at the end of the first sentence.

The 1957 amendment, effective November 30, 1957, substituted "\$35" for "\$30" and "\$10,500" for "\$9,000" in said first sentence.

The 1959 amendment substituted "\$39"

for "\$35" and "\$11,700" for "\$10,500" in the first sentence.

As the second paragraph was not changed by the amendments, it is not set out.

Effective date. — P. L. 1959, c. 338, amending this section, provided in section 4 thereof as follows: "The provisions of this act shall take effect on November 30, 1959."

Sec. 16. Burial expenses.—If the employee dies as a result of the injury, the employer shall pay, in addition to any compensation and medical benefits provided for in this act, the reasonable expenses of burial, not to exceed \$450. (R. S. c. 26, § 16. 1953, c. 395, § 1. 1959, c. 263.)

Effect of amendment.—The 1959 amendment substituted "\$450" for "\$350" in this section.

Sec. 20. Notice of accident within 30 days.

Applied in *Arndt v. Trustees of Gould Academy*, 151 Me. 424, 120 A. (2d) 218.

Sec. 21. Notice unnecessary if employer has knowledge; extension of period for notice.

Who is agent within meaning of this section.

Where injured employee was in charge of women's division of department of physical education, notice of injury to the director of physical education who had

charge of the men's division but had no control over employee's department, was not notice of injury to the trustees of an academy. *Arndt v. Trustees of Gould Academy*, 151 Me. 424, 120 A. (2d) 218.

Sec. 29. Industrial accident commission; appointment; tenure; duties; salary; clerk; seal.

The chairman shall receive a salary of \$10,000 per year, and the other commissioners a salary of \$9,000 each per year. The commissioner of labor and industry, in addition to his salary as such, shall receive for his services as a member of the commission \$1,000 per year. The members of the commission shall also receive their actual, necessary, cash expenses while away from their office on official business of the commission.

(1955, c. 473, § 9. 1957, c. 418, § 10. 1959, c. 361, § 9.)

Effect of amendments. — The 1955 amendment increased the annual salary of the chairman from \$7,000 to \$8,000 and of the other commissioners from \$6,500 to \$7,500.

The 1957 amendment, effective July 1,

1957, increased the annual salary of the chairman from \$8,000 to \$9,000 and of the other commissioners from \$7,000 to \$8,450, and carried appropriations for the fiscal years ending in 1958 and 1959.

The 1959 amendment increased the annual salary of the chairman from \$9,000 to \$10,000 and of the other commissioners from \$8,450 to \$9,000, and carried appropriations for the fiscal years ending June 30, 1960 and 1961.

Sec. 30. Authority of commission; forms and procedure.

And liberal construction.

In accord with original. See *Larou v.*

As only the third paragraph was changed by the amendments, the rest of the section is not set out.

Effective date. — P. L. 1959, c. 361, amending this section, provided in section 14 thereof as follows: "The provisions of this act shall become effective for the week ending August 22, 1959."

Table Talk Distributors, Inc., 153 Me. 504, 138 A. (2d) 475.

Sec. 32. Approval of agreement as to compensation; petition for award.

Cited in *Gooldrup v. Scott Paper Co.*, 154 Me. 1, 140 A. (2d) 765.

Sec. 33. Time limitations for filing petitions.—An employee's claim for compensation under the provisions of this act shall be barred unless an agreement or a petition as provided in section 32 shall be filed within one year after the date of the accident. Any time during which the employee is unable by reason of physical or mental incapacity to file said petition shall not be included in the period aforesaid. If the employee fails to file said petition within said year because of mistake of fact as to the cause and nature of the injury, he may file said petition within a reasonable time not to exceed 2 years from the date of the accident. In case of the death of the employee, there shall be allowed for filing said petition one year after such death. No petition of any kind may be filed more than 10 years following an accident. (R. S. c. 26, § 33. 1957, c. 325.)

Effect of amendment. — The 1957 amendment made a former proviso of the first sentence into a separate sentence, inserted the present third sentence, and made other minor changes.

Pleadings raising issue of reasonable notice and filing.—The respondents, who filed an answer of general denial, and a

special plea of failure of reasonable notice and filing placed both the date of accident and any legal excuse for delay in filing squarely in issue and it was thereafter incumbent upon the petitioner to prove reasonable notice and filing by the fair preponderance of the evidence. *Guay v. Waterville*, 152 Me. 146, 125 A. (2d) 665.

Sec. 35. Filing of answers.

And allegations of petition taken as admitted.

Material facts are admitted when not disputed in the answer. *Rowe v. Keyes Fibre Co.*, 152 Me. 317, 129 A. (2d) 210.

A defense to a petition which is not pleaded is waived.

An employer is limited in his defense by his answer. For example, a time

limitation for filing a petition and res adjudicata must be pleaded. *Rowe v. Keyes Fibre Co.*, 152 Me. 317, 129 A. (2d) 210.

General denial of liability is sufficient to permit the determination of disability and compensation for the entire period from accident to hearing. *Rowe v. Keyes Fibre Co.*, 152 Me. 317, 129 A. (2d) 210.

Sec. 37. Hearing; decision.

But in arriving at his conclusions, etc.

In accord with original. See *Prescott v. Old Town Furniture Co.*, 151 Me. 11, 116 A. (2d) 413.

Commissioner's finding final absent fraud.

In accord with original. See *Gooldrup v. Scott Paper Co.*, 154 Me. 1, 140 A. (2d) 765; *Larou v. Table Talk Distributors, Inc.*, 153 Me. 504, 138 A. (2d) 475.

Whether for or against the petitioner. See *Guay v. Waterville*, 152 Me. 146,

125 A. (2d) 665; Prescott v. Old Town Furniture Co., 151 Me. 11, 116 A. (2d) 413.

And a finding of fact by the commission must stand, etc.

In accord with 1st paragraph in original. See Guay v. Waterville, 152 Me. 146, 125 A. (2d) 665; Prescott v. Old Town Furniture Co., 151 Me. 11, 116 A. (2d) 413; Arndt v. Trustees of Gould Academy, 151 Me. 424, 120 A. (2d) 218.

The findings of the industrial accident commission that the necessary elements of accident are not present, namely "unusual, unexpected and sudden event," are final if supported by competent and credible evidence. McPherson v. Presque Isle, 150 Me. 129, 107 A. (2d) 422.

Compensation not awarded on speculation, surmise, etc.

In accord with 1st paragraph in original. See Prescott v. Old Town Furniture Co., 151 Me. 11, 116 A. (2d) 413.

And finding not supported by evidence should be set aside.

In accord with 3rd paragraph in original. See Guay v. Waterville, 152 Me. 146, 125 A. (2d) 665.

As should finding based on incompetent evidence.

In accord with 1st paragraph in original. See Prescott v. Old Town Furniture Co., 151 Me. 11, 116 A. (2d) 413.

In accord with 2nd paragraph in original. See Prescott v. Old Town Furniture Co., 151 Me. 11, 116 A. (2d) 413.

In workmen's compensation cases, it is not to be presumed that prejudice results from the receipt of inadmissible testimony, if there is sufficient competent evidence in the case on which the commissioner's findings may rest. Prescott v. Old Town Furniture Co., 151 Me. 11, 116 A. (2d) 413.

Weight and credibility of evidence determined by commissioner.

In accord with 2nd paragraph in original. See Guay v. Waterville, 152 Me. 146, 125 A. (2d) 665.

Sec. 38. Petition for review of incapacity; for further compensation.

Review available only in case of agreement or decree.

This section provides for petitions for review of incapacity. It is operative "while compensation is being paid under any agreement, award or decree." Only

then may the incapacity "from time to time be reviewed." Rowe v. Keyes Fibre Co., 152 Me. 317, 129 A. (2d) 210.

Cited in Gooldrup v. Scott Paper Co., 154 Me. 1, 140 A. (2d) 765.

Sec. 41. Decision or approved agreement as basis for court decree; appeal.

Decree reviewable on appeal or on exceptions.

In accord with original. See Rowe v. Keyes Fibre Co., 152 Me. 317, 129 A. (2d) 210.

Finding not open to question where no

report of evidence included in record.—A finding of "permanent impairment on November 3" cannot be questioned where no report of any evidence is included in the record before the law court. Leclerc v. Gilbert, 152 Me. 399, 131 A. (2d) 202.

The Occupational Disease Law.

Sec. 69. Occupational diseases.

Column 1

Description of disease

13. Dermatitis (venenata).

13-A. Dermatitis or pyoderma.

Column 2

Description of process

13. Any process involving the use of or direct contact with acids, alkalies, acids or oil, or with brick, cement, lime, concrete or mortar, or leather capable of causing dermatitis (venenata), but exclusive of soaps and cleaning materials.

13-A. Any process resulting in inflammation of the true skin or sensitive layer beneath the epidermis from the processing of poultry.

16. Pulmonary and cardiac diseases, excluding common colds.
17. Disability due to radioactive properties of substances or exposure to ionizing radiation.
16. Caused to an active member of an organized fire or police department while participating at fires, and developing within 6 months of such participation.
17. Any process involving the use of or direct contact with radiation or radioactive substances or the use of or direct exposure to Roentgen rays (X-rays) or ionizing radiation.
- (1945, c. 338. 1951, c. 261, § 1. 1953, c. 361, § 1. 1955, cc. 295, 391. 1959, c. 262; c. 265, § 1; c. 287, § 1.)

Effect of amendments.—The first 1955 amendment changed paragraph numbered “13” by inserting in the description of process the words “or leather.” The second 1955 amendment, effective November 30, 1955, added paragraph 16.

This section was amended three times by 1959 legislature. The first 1959 amendment added paragraph 13-A. The second 1959 amendment, effective November 30,

1959, added the words “or police” after the word “fire” and before the word “department” in the right-hand column of paragraph 16. The third 1959 amendment added paragraph 17. As the rest of the section was not changed by the amendments, only paragraphs 13, 13-A, 16 and 17 are set out.

Effective date.—Section 2, c. 265, P. L. 1959, provided that the act shall become effective November 30, 1959.

Sec. 70-A. Special provisions relating to disability due to radioactive properties.—Notwithstanding any of the provisions of this chapter, the employee need not be exposed to radioactive substances for a period of 60 days or more, as otherwise stated under section 62, and the time for filing claims shall not begin to run in cases of incapacity under section 69, item 17, until the person claiming benefits knew, or by exercise of reasonable diligence should have known of the casual relationship between his employment and his incapacity, or after incapacity, whichever is later. (1959, c. 287, § 2.)

Chapter 32.

Department of Agriculture.

Division of Administration

Section 2-A. Bounty on Porcupine.

Division of Markets

Sections 32-38. Grades and Standards for Farm Products and Sardines.

Division of Animal Industry

Sections 48-A to 48-F. Control of Diseases.

Sections 48-G to 48-P. Eradication of Diseases. Miscellaneous Provisions.

Sections 48-Q to 48-V. Livestock Community or Commission Auctions.

Sections 48-W to 48-Z. Additional Miscellaneous Provisions.

Section 49-A. Brucellosis.

Sections 49-B to 49-G. Vesicular Exanthema.

Section 113-A. Sale of Milk to Certain Institutions.

Division of Inspection

Sections 215-A to 215-J. Maine Commercial Fertilizer Law.

Section 228-A. Packing of Food.

Sections 236-A to 236-K. Maine Commercial Feed Law.

Section 267-A. Sardine Industry Advisory Board.