

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
103rd LEGISLATURE

SENATE AMENDMENT "A" to H. P. 650, L. D. 903, Bill, "An Act Clarifying Compensation for Occupational Disease Under Workmen's Compensation Act."

Amend said Bill in section 5 by adding at the end the following underlined sentence: 'Compensation shall not be payable for incapacity by reason of occupational diseases unless such incapacity results within 2 years after the last injurious exposure to such disease in the employment.'

Further amend said Bill in section 6 in that part designated "§193." by striking out in the 3rd line (2nd line of L. D. 903) of subsection 4 the underlined figure "17" and inserting in place thereof the underlined figure '50'

Further amend said Bill by striking out all of section 7 and inserting in place thereof the following:

'Sec. 7. R. S., T. 39, §194, amended. Section 194 of Title 39 of the Revised Statutes is amended to read as follows:

§194. Silicosis

In the absence of ~~eclusive~~ evidence in favor of the claim, disability or death from silicosis shall be presumed not to be due to the nature of any occupation, unless during the 10 years immediately preceding the date of disability the employee has been exposed to the inhalation of silica dust over a period of not less than 5 2 years, ~~2 years of which shall have been in this State, under a contract of employment existing in this State.~~ If the employee shall have been employed by the same employer during the whole of such 5-year 2-year period, his right to compensation against such employer shall not be affected by the fact that he had been employed during any part of such period outside of this State. ~~No compensation shall be payable for partial incapacity due to silicosis,--The compensation payable in any such case shall be limited to a period not to exceed the average life expectancy of a person of the age and sex of the deceased,--In the event of disability from silicosis the employer shall provide reasonable medical treatment not to exceed \$1,000 in amount.~~

(OVER)

(Filing No. S-178)

Further amend said Bill by inserting after section 7, a new section, as follows:

'Sec. 8. R. S., T. 39, §194-A, additional. Title 39 of the Revised Statutes is amended by adding a new section 194-A, to read as follows:

§194-A. Asbestosis

In the absence of evidence in favor of the claim, disability or death from asbestosis shall be presumed not to be due to the nature of any occupation, unless during the 15 years immediately preceding the date of disability the employee has been exposed to the inhalation of asbestos dust over a period of not less than 2 years. If the employee shall have been employed by the same employer during the whole of such 2-year period, his right to compensation against such employer shall not be affected by the fact that he had been employed during any part of such period outside of this State.'

Further amend said Bill by renumbering sections 8, 9 and 10 to be sections 9, 10 and 11.

Proposed by Senator GOOD of Cumberland.

Reproduced and distributed pursuant to Senate Rule No. 11A.

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