

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 881

H. P. 706

House of Representatives, March 1, 1979

On Motion of Mr. Wyman of Pittsfield, referred to the Committee on Labor.
Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Hobbins of Saco.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT Amending the Claim Period Provision of the Workers' Compensation Act.

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

Sec. 1. 39 MRSA § 95, 3rd sentence, as repealed and replaced by PL 1965, c. 408, § 9, is amended to read:

If the employee fails to file said petition within said period because of mistake of fact as to the cause and or nature of the injury, he may file said petition within a reasonable time.

Sec. 2. 39 MRSA § 95, as last amended by PL 1975, c. 372, is further amended by adding at the end the following new paragraph:

Unless the employer shows that his ability to defend the employee's claim for compensation has been substantially prejudiced by want of claim, that claim shall not be denied if otherwise valid. Any period of time during which the employer fails to file a first report of injury is not to be counted in the 2-year period created by this section.

STATEMENT OF FACT

This bill is intended to accomplish the purpose of the claim provision and to assist employees in making timely claims for benefits.