

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

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ONE HUNDRED AND NINTH LEGISLATURE

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**Legislative Document**

**No. 1511**

H. P. 1258

House of Representatives, March 29, 1979

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

EDWIN H. PERT, Clerk

Presented by Mr. Davies of Orono.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-NINE

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**AN ACT to Create a Presumption Concerning Asbestosis Under the Workers' Compensation Act.**

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

**39 MRSA § 194-A** as enacted by PL 1967, c. 374, § 8 is repealed and the following enacted in its place:

**§ 194-A. Asbestosis**

**There shall be a rebuttable presumption that disability or death from asbestosis is due to the nature of any occupation when, during the 30 years immediately preceding the date of disability, the employee was employed in an occupation in which the employee had been exposed to the inhalation of asbestos dust.**

STATEMENT OF FACT

The purpose of this bill is to provide a rebuttable presumption under the Workers' Compensation Act that when an employee who dies or is disabled from asbestosis has been employed in a situation where he has inhaled asbestos dust, the death or disability will be presumed to be due to the nature of the occupation: