

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 309

H. P. 279

House of Representatives, January 20, 1981

On Motion of Mrs. Beaulieu of Portland, referred to the Committee on Aging, Retirement and Veterans. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mrs. Nelson of Portland.

Cosponsor: Mrs. Beaulieu of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT Relating to Death or Disability of a Law Enforcement Officer Resulting from Hypertension or Heart Disease Suffered in Performance of his Duties.

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

39 MRSA § 64-D is enacted to read:

§ 64-D. **Death or disability from hypertension or heart disease; law enforcement officer**

Any condition or impairment of health caused by hypertension or heart disease resulting in total or partial disability or death to a law enforcement officer who successfully passed a physical examination upon entry into law enforcement service and which examination failed to reveal any evidence of the condition, or who has been employed as an active law enforcement officer for at least 2 years prior to a cardiovascular injury or the onset of a cardiovascular disease, is presumed to have been suffered in the performance of his duty.

STATEMENT OF FACT

The purpose of this bill is to give law enforcement officers the benefit of the rebuttable presumption now available to firefighters who suffer work related heart attacks or disease. No valid reason exists to distinguish between the risks of

the disease encountered by firefighters and by law enforcement officers in the course of their employment. This bill seeks to facilitate the receipt by law enforcement officers or their families of the benefits to which they are entitled under the Workers' Compensation Act.