

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 677

H. P. 600

House of Representatives, February 5, 1981

Referred to the Committee on Labor. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative A. Martin of Brunswick.

STATE OF MAINE

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

AN ACT to Remove Artificial Barriers to Benefit Recovery by Workers with Occupational Diseases.

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

39 MRSA § 189, 2nd sentence, as amended by PL 1971, c. 376, is repealed.

STATEMENT OF FACT

At present, the second sentence of Title 39, section 189 of the Workers' Compensation Act says that no worker with an occupational disease can recover benefits unless he has been incapacitated by that disease within 3 years after he was last exposed to that disease in his job.

This section makes it impossible for many workers with severe occupational diseases to recover benefits. For example, workers with asbestosis often develop that grave disease 10 to 20 years after their last exposure. At present, the last sentence of section 189 seems to bar them from compensation for the injuries caused by their occupational disease.

This bill repeals this discriminatory, artificial and unnecessary barrier to workers with long-term occupational diseases recovering workers' compensation benefits.