

# MAINE STATE LEGISLATURE

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1 (New Draft of H.P. 665, L.D. 948)  
2 (New Title)  
3 SECOND REGULAR SESSION  
4

5 ONE HUNDRED AND TWELFTH LEGISLATURE  
6

7 Legislative Document

No. 2161

8  
9 H.P. 1533 House of Representatives, March 11, 1986  
10 Reported by the Majority from the Committee on Labor and printed  
11 under Joint Rule 2. Original bill sponsored by Representative Beaulieu of  
12 Portland.

EDWIN H. PERT, Clerk

13  
14 STATE OF MAINE  
15

16 IN THE YEAR OF OUR LORD  
17 NINETEEN HUNDRED AND EIGHTY-SIX  
18

19 AN ACT to Exempt Certain Firefighters from  
20 the 3-year Statute of Limitations in  
21 the Occupational Disease Law.  
22

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

25 39 MRSA §189, sub-§1 is enacted to read:

26 1. Exception for full-time municipal firefight-  
27 ers. The 3-year limitation under this section does  
28 not apply to any full-time firefighter who files a  
29 claim for an occupationally-related cancer under this  
30 chapter and whose last injurious exposure to a  
31 carcinogen in his employment occurred after January  
32 1, 1985.

33 A. For the purposes of this subsection, "full-  
34 time firefighter" means a regular full-time mem-  
35 ber, active or retired, of a municipal fire de-

1 partment if that person has aided in the extin-  
2 guishment of fires, regardless of whether or not  
3 that person had administrative duties or other  
4 duties as a member of the municipal fire depart-  
5 ment.

6 STATEMENT OF FACT

7 This new draft creates an exception from the cur-  
8 rent 3-year statute of limitations in the occupation-  
9 al disease law for full-time firefighters who file a  
10 claim under this law for an occupationally-related  
11 cancer. To qualify for this exception, the fire-  
12 fighters last injurious exposure to a carcinogen on  
13 the job must have occurred after January 1, 1985.  
14 Due to the increased use of synthetic building mate-  
15 rials, the risk of firefighters contracting cancer  
16 has increased in recent years. This new draft re-  
17 moves an artificial roadblock to firefighters in mak-  
18 ing claims for work-related cancers because the  
19 latency period for many cancers is much longer than  
20 the 3-year limit on filing a claim under current law.

21 In this new draft, the Legislature expresses no  
22 opinion on and intends no change in any rights a  
23 firefighter whose last injurious exposure occurred on  
24 or before January 1, 1985, may have under current or  
25 previous law. The Legislature also expresses no  
26 opinion on and intends no change in any other rights  
27 a firefighter whose last injurious exposure occurred  
28 after January 1, 1985, may have under any other law.

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