MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 901

H.P. 665

House of Representatives, February 19, 2019

An Act To Clarify the Statute of Limitations under the Maine Workers' Compensation Act of 1992

Reference to the Committee on Labor and Housing suggested and ordered printed.

ROBERT B. HUNT Clerk

R(+ B. Hunt

Presented by Representative SYLVESTER of Portland.

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

- **Sec. 1. 39-A MRSA §306, sub-§1,** as amended by PL 2011, c. 647, §18, is further amended to read:
 - 1. Statute of limitations. Except as provided in this section, a petition brought under this Act is barred unless filed within 2 years after the date of injury or the date the employee's employer files a required first report of injury if as required in section 303, whichever is later.

8 SUMMARY

This bill removes changes that were made by Public Law 2011, chapter 647 to the law governing the statute of limitations for workers' compensation claims and restores the law to the language that was held by the Law Court in Wilson v. Bath Iron Works, 942 A.2d 1237 (Me. 2008) to mean that, for purposes of filing a petition under the workers' compensation laws, the statute of limitations expires 2 years after the date of injury or 2 years after the date the employer files the first report of injury, whichever is later.