

MAINE STATE LEGISLATURE

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N I N E T Y - N I N T H L E G I S L A T U R E

Legislative Document

No. 1069

H. P. 751

House of Representatives, March 4, 1959

Referred to the Committee on Judiciary, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Cox of Dexter.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-NINE

**AN ACT Relating to Service of Processes on Nonresident Employers
Under Workmen's Compensation Act.**

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

Sec. 1. R. S., c. 31, § 20-A, additional. Chapter 31 of the Revised Statutes is amended by adding a new section 20-A, to read as follows:

'Sec. 20-A. Notice; nonresident employers. Any employer within the meaning of this act who, being a resident of any other state or country, exercises the privilege of carrying on his business within this State as evidenced by the presence of himself or his agents or servants actively engaged in said business within this State shall be deemed to have appointed the chairman of the commission, or his successors, as his true and lawful attorney upon whom may be served all lawful processes in any action or proceeding against him because of any injury, disease or disability sustained by an employee and arising out of or in the course of his employment as provided by this chapter, and said carrying on of said business shall be a signification of his agreement that any such process against him which is so served shall be of the same legal force and validity as if served on him personally.'

Sec. 2. R. S., c. 31, § 63, amended. Section 63 of chapter 31 of the Revised Statutes is amended to read as follows:

'Sec. 63. Notice of injury; filing of claim. ~~The provisions of sections Sections 20, 20-A and 33 of the Workmen's Compensation Act with reference to giving notice, making claims and filing petitions shall apply to cases under this~~

law except that in cases under this law the date of incapacity as defined in section 62 shall be taken as equivalent to the date of accident in said sections 20 and 33, and the notice under section 20 ~~or 20-A~~ shall include the employee's name and address, the nature of the occupational disease, the date of incapacity, the name of the employer in whose employment the employee was last injuriously exposed for a period of 60 days to the hazards of the disease and the date when employment with such employer ceased. ~~Provided, however, that~~ ~~after~~ **After** compensation payments for an occupational disease have been legally discontinued, claim for further compensation for such occupational disease, not due to further exposure to an occupational hazard tending to cause such disease, shall be barred if not made within one year after the last previous payment.'