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Legislative Document

No. 489

H.P. 352

House of Representatives, February 9, 2017

**An Act To Ensure Firefighters Receive Cancer Treatment Pursuant
to the Maine Revised Statutes, Title 39-A**

Reference to the Committee on Labor, Commerce, Research and Economic Development
suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative SEAVEY of Kennebunkport.
Cosponsored by Representative: THERIAULT of China.

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

2 **Sec. 1. 39-A MRSA §328-B, sub-§2**, as enacted by PL 2009, c. 408, §1, is
3 amended to read:

4 **2. Presumption.** If a firefighter who contracts cancer has met the requirements of
5 subsections 3, 6 and 7, there is a ~~rebuttable~~ **conclusive** presumption that the firefighter
6 contracted the cancer in the course of employment as a firefighter and as a result of that
7 employment, that sufficient notice of the cancer has been given and that the disease was
8 not occasioned by any willful act of the firefighter to cause the disease.

9 **SUMMARY**

10 Under current law, there is a rebuttable presumption that if a firefighter meeting
11 certain requirements contracts cancer, the cancer was contracted in the course of that
12 employment and as a result of that employment. This bill amends that provision of law to
13 establish the presumption as conclusive, rather than rebuttable.