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ACTS OF THE LEGISLATURE STATE OF LOUISIANA

REGULAR SESSION 1952
EXTRAORDINARY SESSION 1951
and
CONSTITUTIONAL AMENDMENTS ADOPTED 1950



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THOMAS J. MORAN'S SONS, INC.
1952

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REGULAR SESSION
OF THE
LEGISLATURE OF LOUISIANA
YEAR 1952

ROBERT F. KENNON, Governor of Louisiana.

C. E. BARHAM, Lieutenant Governor and President of the Senate.

CLARENCE C. AYCOCK, Speaker of the House of Representatives.

NOTICE

Section 27 of Article III, Paragraph 1, of the Constitution of Louisiana of 1921, as amended, reads as follows:

"Section 27. All laws enacted shall go into effect at twelve o'clock, noon, on the twentieth day after the Legislature shall have adjourned. This provision shall not apply to the general appropriation Act or the Act appropriating money for the expenses of the Legislature, or to any Act the necessity for the immediate passage of which shall have been certified to the Legislature by the Governor, or the acting Governor, while the Legislature is in session, and any such Act so certified shall become effective immediately upon approval by the Governor. All Acts shall be published in the official journal without delay after passage."

The Regular Session of the Legislature of Louisiana for the year 1952, which convened May 12, 1952, adjourned July 10, 1952.

Wade O. Martin Jr.
Secretary of State

(SEAL)

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Act 531

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Section 12. Saving Clause—Airport Zoning.

Act not to affect
airport zoning.

Nothing contained in this act shall be construed to limit any right, power or authority of a subdivision to regulate airport hazards by zoning.

Section 13. Purpose.

Purpose of Act.

The provisions of this act shall not be held to require any such subdivision to abolish any existing board, authority, or commission or to repeal any provisions of any charter or ordinance, the purpose of this act being to afford an additional method whereby the governing body of a subdivision might establish an aviation authority and delegate thereto such authorities and powers as may be appropriate.

Section 14. Short Title.

Method of citing
Act.

This act may be cited as the "Airport Authorities Act".

Approved by the Governor: July 10, 1952.

A true copy:

WADE O. MARTIN, JR.,
Secretary of State.

ACT No. 532.

House Bill No. 1098.

By Messrs. Cagle, Jones, Sock-
rider and Hennigan.

AN ACT

To amend Chapter 10 of Title 23 of the Louisiana Revised Statutes of 1950 by adding one additional section designated as Section 1031.1 of Chapter 10 of Title 23 of the Louisiana Revised Statutes of 1950, relative to employers' liability; to define occupational diseases; to provide periods of prescription against claims for disablement or death due to occupational diseases; to provide compensation for disablement or death due to occupational diseases; and to repeal all laws or parts of laws in conflict herewith.

Section 1. Be it enacted by the Legislature of Louisiana that Section 1031.1 of Chapter 10 of Title 23 of the Louisiana Revised Statutes of 1950 be enacted to read as follows:

Compensation to
be paid for occupa-
tional disease.

Section 1031.1 Every employee who is disabled because of the contraction of an occupational disease as herein defined, or the dependent of an employee whose death is caused by an occupational disease, as herein defined, shall be entitled to the Compensation provided

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Act 532

in this Chapter the same as if said employee received personal injury by accident arising out of and in the course of his employment.

(A) An occupational disease shall include only those diseases hereinafter listed when contracted by an employee in the course of his employment as a result of the nature of the work performed. Tuberculosis shall not be an occupational disease within the meaning of this Section, and no disease herein listed shall be construed to include tuberculosis in its scope. Diseases to be deemed occupational.

1. Poisoning by or other disease resulting from contact with

- (a) the halogens, halogen compounds, and halogenated hydrocarbons
- (b) alkaline materials
- (c) arsenic, phosphorus, selenium, sulfur, tellurium, and their compounds
- (d) oxygen, nitrogen, carbon, and their compounds
- (e) cyanides and cyanogen compounds
- (f) lead and lead compounds
- (g) metals other than lead and their compounds
- (h) aliphatic hydrocarbons and their nitro, diazo and amino compounds
- (i) aromatic and cyclic hydrocarbons and their nitro, amino and other compounds
- (j) alcohols
- (k) organic and inorganic acids and their derivatives and compounds
- (l) esters of aliphatic, aromatic and inorganic acids
- (m) aldehydes
- (n) ketones
- (o) ethers, glycols, glycol ethers, and their compounds
- (p) phenol and phenolic compounds

2. Diseased condition caused by exposure to X-rays or radio-active substances.

- 3. Asbestosis.
- 4. Silicosis.
- 5. Dermatitis.
- 6. Pneumoconiosis.

(B) Any occupational disease as herein listed contracted by an employee while performing work for a particular employer in which he has been engaged for Presumption of non-occupational character.

Act 532

1280

less than twelve (12) months shall be presumed to be non-occupational and not to have been contracted in the course of and arising out of such employment, provided, however, that any such occupational disease so contracted within the twelve months' limitation as set out herein shall become compensable when the occupational disease shall have been proved to have been contracted during the course of the prior twelve months' employment, by an overwhelming preponderance of evidence.

Premption.

(C) All claims for disablement arising from an occupational disease are forever barred unless the employee files a claim with his employer within four (4) months of the date of his contraction of the disease, or within four (4) months of the date that the disease first manifested itself. Notice filed with the compensation insurer of such employer shall constitute a claim as required herein.

Premption after death.

(D) All claims for death arising from an occupational disease are forever barred unless the dependent or dependents, as set out herein, file a claim with the deceased's employer within six (6) months of the date of death of such employee. Notice filed with the compensation insurer of such employer shall constitute a claim as required herein.

Fraud.

(E) Compensation shall not be payable hereunder to an employee or his dependents on account of disability or death arising from disease suffered by an employee who, at the time of entering into the employment from which the disease is claimed to have resulted, shall have willfully* and falsely represented himself as not having previously suffered from such disease.

Right to be exclusive.

(F) The rights and remedies herein granted to an employee or his dependent on account of an occupational disease for which he is entitled to compensation under this Chapter shall be exclusive of all other rights and remedies of such employee, his personal representatives, dependents or relatives.

Repealing clause.

Section 2. That all laws or parts of laws in conflict herewith are hereby repealed.

Approved by the Governor: July 10, 1952.

A true copy:

WADE O. MARTIN, JR.,
Secretary of State.

* As it appears in the enrolled bill.

House Bill 1

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