

(1) SUCH DISEASE IS DUE TO THE NATURE OF AN EMPLOYMENT IN WHICH THE HAZARDS OF THE DISEASE ACTUALLY EXIST, AND IT MAY REASONABLY BE CONCLUDED, BASED ON THE WEIGHT OF THE EVIDENCE, THAT THE DISEASE WAS INCURRED AS A RESULT OF HIS EMPLOYMENT; OR

(2) THE MANIFESTATIONS OF THE DISEASE ARE CONSISTENT WITH THOSE KNOWN TO RESULT FROM EXPOSURE TO A GIVEN PHYSICAL, BIOLOGICAL, OR CHEMICAL AGENT ATTRIBUTABLE TO HIS TYPE OF EMPLOYMENT, AND IT MAY REASONABLY BE CONCLUDED, BASED ON THE WEIGHT OF THE EVIDENCE, THAT THE DISEASE WAS INCURRED AS A RESULT OF HIS EMPLOYMENT.

~~(c) FOR PURPOSES OF THIS SECTION, A DISEASE IS PRESUMED TO BE AN "OCCUPATIONAL DISEASE" IF THE MANIFESTATIONS OF THE DISEASE ARE CONSISTENT WITH THOSE KNOWN TO RESULT FROM EXPOSURE TO A GIVEN PHYSICAL, BIOLOGICAL, OR CHEMICAL AGENT, AND IN WHICH THERE IS A REASONABLE LIKELIHOOD THAT THE INJURIOUS AGENT IS OR WAS PRESENT IN THE WORKING ENVIRONMENT.~~

~~f- [ (d) When disability or death of an employee shall be due to silicosis, asbestosis or other pulmonary dust disease, the employer shall be liable for compensation if such disease causing such disability or death shall be due to the nature of the employment in which the hazards of such disease actually exist and to a reasonable degree of medical certainty is attributable to his type of employment, and is actually incurred in his employment. f-, provided such disability or death shall occur within seven (7) years after the employee has knowledge that he has been affected by silicosis, asbestosis, or other pulmonary dust disease.]~~

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~~(a) In the absence of conclusive evidence in favor of the claim, disability or death from silicosis or asbestosis shall be presumed in fact not to be due to the nature of any occupation within the provisions of this article, unless during the ten (10) years immediately preceding the date of disablement the employee has been exposed to the inhalation of silica dust or asbestos dust over a period of not less than five (5) years, two (2) years of which shall have been in this State, under a contract of employment existing in this State, provided, however, that if the employee shall have been employed by the same employer during the whole of such five-year period, his right to compensation against such employer shall not be affected by the fact that he had been employed during any part of such period outside of this State.~~

~~(b) Compensation shall be payable for silicosis, asbestosis or other pulmonary dust disease in the same manner as provided in § 36 (4) of this article for other cases of disability. In the event of total disability or death from silicosis, asbestosis, or other pulmonary dust disease, compensation shall be payable to employees and their dependents in the same manner and in the amounts as~~