

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 495

S. P. 199

In Senate, February 13, 1979

Referred to the Committee on Labor. Sent down for concurrence and ordered printed.

Presented by Senator Usher of Cumberland.

Cosponsor: Senator Pray of Penobscot.

MAY M. ROSS, Secretary of the Senate

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT Relating to Occupational Loss of Hearing.

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

Sec. 1. 39 MRSA § 193, sub-§ 2, as enacted by PL 1967, c. 374, § 6, is amended to read:

2. Limitations on sound frequencies. Losses of hearing due to industrial noise for compensation purposes shall be confined to the frequencies of ~~500, 1,000 and 2,000~~ **2,000, 3,000, 4,000** cycles per second. Loss of hearing ability for frequency tones above ~~2,000~~ **4,000** cycles per second are not to be considered as constituting disability for hearing.

Sec. 2. 39 MRSA § 193, sub-§ 3, first and 2nd sentences, as enacted by PL 1967, c. 374, § 6, are amended to read:

The percent of hearing loss, for purposes of the determination of compensation claims for occupational deafness shall be calculated as the average, in decibels, of the thresholds of hearing for the frequencies of ~~500, 1,000, 2,000~~ **2,000, 3,000, 4,000** per second. Hearing levels shall be measured by means of pure-tone ear-conduction audiometric instruments calibrated in accordance with American Standard ~~Z24.5, 1951, American Standards Association, March 21, 1951~~ **National Standards Institute Standard S3.22-1976**, and in an area with ambient noise level

within the limits specified in American Standards Association Criteria for Background Noise in Audiometric Room S3.1, 1960.

STATEMENT OF FACT

This bill recognizes that significant occupational deafness is detectable in the frequencies of 2,000, 3,000 and 4,000. The bill also updates the calibration standard from 1951 to 1976.