

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-1117)
108TH LEGISLATURE
SECOND REGULAR SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1872,
L.D. 1913, Bill, "AN ACT Concerning Filing of Claims for
Occupational Deafness under the Workmen's Compensation Statutes."

Amend the Amendment by striking out everything after the
title and inserting in its place the following:

'Amend the bill by striking out everything after the enacting
clause and inserting in its place the following:

'Sec. 1. 39 MRSA §193, sub-§8, as enacted by PL 1967, c. 374,
§6, is repealed and the following enacted in its place:

8. Filing of claims. No claim for compensation for
occupational deafness may be filed until after the employee has
been separated from the occupational noise for a period of at
least 30 days. The last day of this period shall be the date of
disability. "Separation from the occupational noise" shall mean
the use of hearing protective devices or equipment, including noise
attenuators and ear plugs.'

Sec. 2. 39 MRSA §193, sub-§9, first ¶, as enacted by PL 1967,
c. 374, §6, is amended to read:

9. Employers limit of liability. An employer shall become
liable for the entire occupational deafness to which his employ-
ment has contributed, but if previous deafness is established by
a hearing test or by other competent evidence, whether or not the
employee was exposed to noise within ~~6-months~~ 30 days preceding
such test, the employer shall not be liable for previous loss so
established, nor shall he be liable for any loss for which
compensation has previously been paid or awarded.'

Statement of Fact

The purposes of this amendment are to:

1. Allow a worker to apply for compensation for occupational deafness after being separated from the harmful noise for 30 days. The current time period is 6 months; and
2. Make subsection 9 consistent with this new 30-day requirement.

Filed by Mr. Bustin of Augusta.

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