

# MAINE STATE LEGISLATURE

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L.D. 1913

(Filing No. H-1108)

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
108TH LEGISLATURE  
SECOND REGULAR SESSION

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 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'Sec. 1. 39 MRSA §193, sub-§8, as enacted by PL 1967, c. 374, §6, is repealed and the following enacted in its place: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 protected from the occupational noise ~~\_\_\_\_\_~~ for a period of at least 30 days. ~~\_\_\_\_\_~~ The last day of this ~~\_\_\_\_\_~~ period shall be the date of disability.'

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 employment 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 protected 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.

Reported by the Committee on Labor.

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