

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND ELEVENTH LEGISLATURE

**FIRST REGULAR SESSION**  
December 1, 1982 to June 24, 1983  
Chapters 453-End

AND AT THE  
**FIRST SPECIAL SESSION**  
September 6, 1983 to September 7, 1983  
Chapters 583-588

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH  
IN ACCORDANCE WITH MAINE REVISED STATUTES  
ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

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J.S. McCarthy Co., Inc.  
Augusta, Maine  
1983

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION

CONTINUED

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

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A. The joint standing committee of the Legislature having jurisdiction over health and institutional services shall, during each Legislature, hold a public hearing or hearings on the proposed plan and report to the Legislature its findings, recommendations, legislation to authorize implementation of the plan as proposed or amended and any other necessary legislation.

B. The joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs shall prepare its recommendations on the proposed plan as part of its consideration of the biennial budget of state-administered funds and shall report any necessary legislation to the Legislature.

Effective September 23, 1983.

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## CHAPTER 496

H.P. 1322 - L.D. 1757

AN ACT to Improve the Evaluation of  
Hearing Loss Under the Workers'  
Compensation Act.

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

Sec. 1. 39 MRSA §193, sub-§3, as amended by PL 1979, c. 313, is further amended to read:

3. Determination of hearing loss. 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 and 2,000 cycles per second. Hearing levels shall be measured by means of pure-tone air-conduction audiometric instruments calibrated in accordance with American National Standards Institute Standard S3-22-1976, Standards S3.6-1969-R 1973 and S3.13-1972, (ANSI) or American Standards Association Standard Z24.5, 1951 (ASA) and in an area with ambient noise level within the limits specified in American Standards Association American National Standards Institute Criteria for Background Noise in Audiometric Room Standard S3.1, 1960-R 1977. If the losses of hearing average 25 decibels or less (ANSI) or 15 decibels or less (ASA) in the 3 frequencies, such losses of hearing shall not then constitute any compensable hearing disability. If the losses of

hearing average 92 decibels or more (ANSI) or 82 decibels or more (ASA) in the 3 frequencies, then the same shall constitute and be total or ~~100~~ percent 100% compensable hearing loss.

Sec. 2. 39 MRSA §193, sub-§5, as enacted by PL 1967, c. 374, §6, is amended to read:

5. Measurement of hearing impairment. In measuring hearing impairment, the lowest measured losses in each of the 3 frequencies shall be added together and divided by 3 to determine the average decibel loss. For every decibel of loss exceeding 15 decibels (ASA) or 25 decibels (ANSI), an allowance of 1 1/2% shall be made up to the maximum of 100%, which is reached at 82 decibels (ASA) or 92 decibels (ANSI).

Effective September 23, 1983.

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## CHAPTER 497

S.P. 600 - L.D. 1755

AN ACT Relating to the Manner of  
Approval of Amendments to the Maine  
Indian Claims Settlement Act.

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

Sec. 1. 3 MRSA c. 27 is enacted to read:

### CHAPTER 27

#### APPROVAL OF AMENDMENTS TO THE MAINE INDIAN CLAIMS

#### SETTLEMENT ACT

#### §601. Approval of legislation

When approval of legislation by an Indian tribe or Indian nation is required by the United States Code, Title 25, Section 1725(e), certification of that approval shall be made to the Secretary of State by the officer of the affected Indian tribe or Indian nation designated in section 602. The certification shall state the date and manner of approval of the legislation and shall be prima facie evidence of approval. The Secretary of State shall forthwith transmit certified copies of the certification of approval to the Secretary of the Senate and the Clerk of the House of Representatives.