

MAINE STATE LEGISLATURE

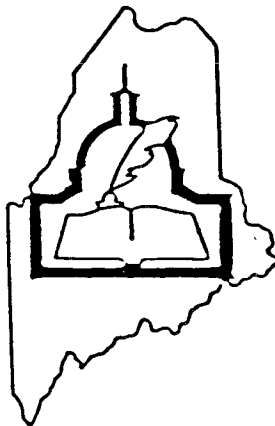
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STATE OF MAINE
ONE HUNDRED AND TWELFTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON
LABOR
BILL SUMMARY



JULY, 1985

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ONE HUNDRED AND TWELFTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
JULY 1985

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees of the Maine Legislature, covering the First Regular Session of the 112th Legislature. The summaries are arranged by LD number and indexed separately by committee.

LD: 1221 AN ACT TO INCREASE FAIRNESS TO WORKERS'
COMPENSATION CLAIMANTS

BEAULIEU

ND: 210

HOUSE Enacted
SENATE Enacted
GOV SIGNED

PUBLIC
CH # 118

SUMMARY:

This bill is a new draft of LD 210. LD 210 would have allowed a worker who had been discriminated against because he exercised his rights under the Workers' Compensation Act to bring suit in Superior Court as well as file a petition with the Workers' Compensation Commission, and also expanded the remedies available to him in both actions. The new draft eliminated the option of bringing a court action but retained the expanded remedies of reinstatement to his previous job, payment of back wages, reestablishment of employee benefits and reasonable attorneys' fees. The new draft also ensures that any commissioner who has had any previous experience with the case from which the alleged discrimination arose must disqualify himself from hearing the discrimination appeal.

LD: 1240 AN ACT TO CLARIFY THE AGRICULTURAL EXEMPTION
IN THE WORKERS' COMPENSATION LAWS

LISNIK

OTP-AM

HOUSE Enacted
SENATE Enacted
GOV SIGNED

PUBLIC
CH # 249

H-156 CA

H S

SUMMARY:

LD 1240 was intended to clarify the workers' compensation agricultural exemption which allows agricultural employers with 4 or fewer employees to purchase a minimum of \$25,000 in liability insurance and \$1,000 in medical insurance instead of providing workers' compensation coverage. The bill defined "agriculture" and provided that immediate family members of unincorporated employers and casual and seasonal workers would not be counted in computing the number of employees under the exemption section. The computation method to be used under the section was also clarified. Committee amendment H-156 expanded and further clarified the agricultural exemption. It increased the number of employees allowed from 4 to 6 and changed the insurance requirements to require a variable amount based on \$100,000 of liability insurance for each employee. It also provides that immediate family members of major stockholders in a farm corporation will not be counted as employees for purposes of the exemption, and defines "immediate family members."