

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
106TH LEGISLATURE

HOUSE AMENDMENT "B" to S.P. 618, L.D. 1934, Bill, "AN ACT
Relating to Applicability of Workmen's Compensation Law to Employers."

Amend said Bill by inserting after section 3 the following:

'Sec. 4. R. S., T. 39, § 4, amended. The 2nd, 3rd and 4th sentences of section 4 of Title 39 of the Revised Statutes, as amended, are repealed and the following enacted in place thereof: Said section shall not apply to actions to recover damages for the injuries aforesaid, or for death resulting from such injuries, sustained by employees engaged in domestic service or by an employer in agriculture who has paid less than \$500 in wages in the preceding calendar year.'

Further amend said Bill by inserting after section 4 the following:

'Sec. 6. R. S., T. 39, § 4, amended. The last sentence of section 4 of Title 39 of the Revised Statutes, as enacted by section 1 of chapter 489 of the public laws of 1965, is amended to read as follows: Section 3 shall not apply to actions to recover damages for the injuries aforesaid, or for death resulting from such injuries sustained by the farm laborers of an employer who is covered by an employer's liability insurance policy with total limits of not less than ~~\$25,000~~ \$50,000 and medical payment coverage of not less than ~~\$1,000~~ \$5,000.'

Further amend said Bill in section 5 in that part designated "§21." by striking out all of the 2nd paragraph (same in L.D.) and inserting in place thereof the following:

'Any private employer other than those engaged in woods operations

(Filing No. H-562)

and who employ 3 or less employees who has elected not to be an assenting employer by not securing the payment of compensation under sections 21 to 27 shall, in a civil action brought by the employee other than one engaged in domestic service or by an employer in agriculture who has paid less than \$500 in wages in the preceding calendar year ~~as-a-seasonal-or-casual-farm-laborer~~ to recover for personal injuries or death sustained after such election by the employer, arising out of and in the course of his employment, not be entitled to the defenses set forth in section 3.'

Further amend said Bill by renumbering section 4 to be section 5 and sections 5 to 9 to be sections 7 to 11.

Statement of Fact

The purpose of this amendment is to afford at least some protection to casual and seasonal farm laborers while preserving to agricultural employers the opportunity to choose either workmen's compensation or employees liability and medical payments.

Filed by Mr. McTeague of Brunswick.

Reproduced and distributed under the direction of the Clerk of the House.

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