

MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 2070

H. P. 1890

House of Representatives, January 23, 1976

Referred to Committee on Labor. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Greenlaw of Stonington.

Cosponsors: Mr. Perkins of Blue Hill, Mrs. Post of Owls Head, Mr. Jackson of Yarmouth.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SIX

AN ACT to Extend the Exemption for Self-employed Sternmen on Lobster Fishing Boats from Coverage under the Employment Security and Workmen's Compensation Laws.

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

Sec. 1. 26 MRSA § 1043, sub-§ 11, ¶ F, sub-¶ (32), is enacted to read:

(43) Services performed by an individual operating as a sternman, as defined in Title 36, section 5102, subsection 8-A, on a lobster or crab fishing vessel of less than 10 tons.

Sec. 2. 39 MRSA § 2, sub-§ 5, ¶ A, is amended to read:

A. Persons engaged in maritime employment, or in interstate or foreign commerce, who are within the exclusive jurisdiction of admiralty law or the laws of the United States and persons self-employed as sternmen on lobster boats as defined in Title 36, section 5102, subsection 8-A.

STATEMENT OF FACT

The 107th Legislature ratified the longstanding practice of self-employment of lobster boat sternmen by passing an Act to exempt boat owners from withholding state income taxes for sternmen. This bill will complete the exemp-

tion so that sternmen will be recognized as self-employed for all state purposes. Section 1 will exempt sternmen from unemployment insurance coverage and is consistent with the general philosophy of that program not to cover persons who are self-employed. Section 2 will exempt them from State Workmen's Compensation Program, which provides coverage only when they are on land.