

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
110TH LEGISLATURE  
FIRST REGULAR SESSION

(Filing No. H-17)

HOUSE AMENDMENT "A" to S.P. 74, L.D. 111, Bill, "AN ACT to Exempt Certain Aquaculture Workers under the Workers' Compensation Law."

Amend the Bill/<sup>by</sup>striking out all of sections 1 and 2 and inserting in their place the following:

'Sec. 1. 39 MRSA §4, as last amended by PL 1979, c. 663, §243, is further amended to read:

§4. Applicability to certain actions and employers; exemptions

Section 3 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-in~~, agriculture or aquaculture as seasonal or casual ~~farm~~ laborers. "Casual" is defined as occasional, irregular or incidental. "Seasonal" refers to ~~farm~~ laborers engaged in agricultural or aquacultural employment beginning at or after the commencement of the planting or seeding season and terminating at or before the completion of the harvest season. Section 3 shall not apply to actions to recover damages for the injuries aforesaid or for death resulting from such injuries, sustained by employees of an employer who has secured the payment of compensation in conformity with sections 21 to 27. Such employers shall be exempt from civil actions because of such injuries either at common law or under

D. OF R.

HOUSE AMENDMENT "A" to S.P. 74, L.D. 111

-2-

sections 141 to 148, under Title 14, sections 8101 to 8118 or under Title 18-A, section 2-804. This exemption from liability shall also extend to all employees, supervisors, officers and directors of the employer for any personal injury or occupational disease arising out of and in the course of employment. 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 or aquacultural laborers of an employer who is covered by an employer's liability insurance policy with total limits of not less than \$25,000 and medical payment coverage of not less than \$1,000.'

Further amend the Bill by renumbering "Sec.3." to be 'Sec. 2.'

Statement of Fact

The purpose of this amendment is to provide that the exemption for aquaculture employees from coverage under the Workers' Compensation Law is contingent upon their employers' maintenance of employer's liability insurance.

(Mrs. Beaulieu)

NAME:

*Edith Beaulieu*

TOWN: Portland

Filed by Edith Beaulieu of Portland.  
Reproduced and distributed under the direction of the Clerk of the House.

2/11/81

(Filing No. H-17)