

MAINE STATE LEGISLATURE

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L.D. 1240

(Filing No. H- 156)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
112TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 883, L.D. 1240, Bill, "AN ACT to Clarify the Agricultural Exemption in the Workers' Compensation Laws."

Amend the bill in section 4, in that part designated "§21-A." in subsection 1, paragraph C, in the first line (page 3, line 26 in L.D.) by striking out the underlined figure "4" and inserting in its place the underlined figure '6' and in the 4th line (page 3, line 29 in L.D.) by striking out the underlined figure "\$25,000" and inserting in its place the following: '\$100,000 multiplied by the number of agricultural or aquacultural laborers employed by that employer'

Further amend the bill in section 4, in that part designated "§21-A." in subsection 1, paragraph C, subparagraph (1), in the 4th line (page 3, line 34 in L.D.) by inserting after the underlined word "employers" the following: 'immediate family members of bona fide owners of at least 20% of the outstanding voting stock of an incorporated agricultural employer' and by adding at the end the following: 'For the purposes of this subparagraph, "immediate family members" means parents, spouse, brothers, sisters and children.'

Further amend the bill in section 4, in that part designated "§21-A." in subsection 1, paragraph C, subparagraph (2), in the 2nd line (page 3, line 37 in L.D.) by striking out the underlined figure "4" and inserting in its place the following: '6' and in the 3rd line (page 3, line 38 in L.D.) by inserting after the underlined word "laborers" the underlined words 'in regular and concurrent manner'

COMMITTEE AMENDMENT "A" to H.P. 883, L.D. 1240

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STATEMENT OF FACT

2 This amendment is intended to expand and clarify
3 the agricultural and aquacultural exemption in sever-
4 al ways. First, it increases the number of employees
5 that an agricultural or aquacultural employer may em-
6 ploy without being required to provide workers' com-
7 pensation coverage from 4 to 6. Second, it raises
8 the amount of liability insurance which must be pro-
9 vided instead of workers' compensation coverage from
10 a flat \$25,000 to a variable requirement of \$100,000
11 per agricultural or aquacultural laborer employed by
12 an employer. Third, it allows a farmer to incorpo-
13 rate his business and still not count members of his
14 immediate family as laborers for the purpose of de-
15 termining eligibility under the agricultural exemp-
16 tion for workers' compensation. Fourth, it defines
17 "immediate family members" to include a person's par-
18 ents, spouse, brothers, sisters and children. Final-
19 ly, it clarifies the method of counting employees for
20 the purpose of determining if an agricultural or
21 aquacultural employer has employed more than 4 em-
22 ployees at any time by requiring that these employees
23 all be employed at the same time as regular employ-
24 ees.

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Reported by the Committee on Labor
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