

MAINE STATE LEGISLATURE

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R. of S.

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L.D. 726
(Filing No. S-71)

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STATE OF MAINE
SENATE
113TH LEGISLATURE
FIRST REGULAR SESSION

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SENATE AMENDMENT " B " to H.P. 542, L.D. 726,
Bill, " AN ACT to Exempt Prisoners from the Provi-
sions of the Workers' Compensation Act."

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Amend the bill by striking out everything after
the enacting clause and inserting in its place the
following:

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39 MRSA §2, sub-§5, ¶E is enacted to read:

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E. The term "employee" does not include any
prisoner performing services, with or without re-
muneration, either within or outside a state cor-
rectional facility or county jail, excluding:

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(1) County prisoners under final sentence
of 72 hours or less who are assigned to work
outside of the county jail; and

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(2) Prisoners who are performing services
under a work release program.

SENATE AMENDMENT " B " to H.P. 542, L.D. 726

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STATEMENT OF FACT

2 This amendment replaces the bill to clarify that
3 any prisoner in a state correctional facility or a
4 county jail who is performing services, with or with-
5 out remuneration, is not considered an employee for
6 the purposes of workers' compensation, with the fol-
7 lowing 2 exceptions. A prisoner who is performing
8 services for an employer under a work release program
9 or a prisoner who is under a final sentence of 72
10 hours or less and who is assigned to work outside of
11 the county jail may be considered an employee for the
12 purpose of workers' compensation, subject to his
13 meeting the usual requirements of the workers' com-
14 pensation law.

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(Sen. Dutremble)

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COUNTY: York

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