

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
114TH LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 550,
L.D. 1521, Bill, "An Act to Clarify the Definition of Seasonal
Workers under the Workers' Compensation Law"

Amend the amendment by striking out all of paragraph B-1 and
inserting in its place the following:

'B-1. Notwithstanding paragraphs A and B, the average
weekly wage of a seasonal worker shall be determined by
dividing the employee's total wages, earnings or salary for
the prior calendar year by 52.

(1) For the purposes of this paragraph, the term
"seasonal worker" does not include any employee who is
customarily employed, full time or part time, for more
than 26 weeks in a calendar year. The employee need
not be employed by the same employer during this period
to fall within this exclusion.

(2) Notwithstanding subparagraph (1), the term
"seasonal worker" includes, but is not limited to, any
employee who is employed directly in agriculture or in
the harvesting or initial hauling of forest products.'

STATEMENT OF FACT

This amendment provides that employees who are employed
directly in agriculture or directly in wood harvesting or the
first road transportation of harvested wood are considered
seasonal workers under the Workers' Compensation Act even if they

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1 customarily work for more than 26 weeks in a calendar year. The
amendment concentrates the potential savings under the seasonal
3 workers' provision in that area of the State's economy that has
experienced the highest workers' compensation insurance premium
5 costs.

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Filed by Rep. McHenry of Madawaska
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