

MAINE STATE LEGISLATURE

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L.D. 1942

(Filing No. S-526)

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**STATE OF MAINE
SENATE
114TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A " to S.P. 738, L.D. 1942, Bill, "An Act to Clarify the Definition of Employer Under the Workers' Compensation Laws"

Amend the bill in section 2 in paragraph A in subparagraph (4) by inserting at the end of the first paragraph a new sentence to read: 'For the purposes of this subparagraph, the term "professional corporation" has the same meaning as found in Title 13, section 703, subsection 1.'

Further amend the bill by striking out all of section 3.

STATEMENT OF FACT

This amendment clarifies the term "professional corporation" by cross-referencing the definition in the corporate laws and deletes unnecessary statutory changes. Under the amendment, shareholder members of professional corporations are treated the same as a corporate shareholder employee who holds over 20% of that corporation's voting stock. The shareholder member of a professional corporation is considered to be an "employee" for workers' compensation purposes unless the member affirmatively waives that coverage.

Reported by Senator Esty for the Committee on Labor.
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