

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
115TH LEGISLATURE  
THIRD SPECIAL SESSION

HOUSE AMENDMENT "J" to H.P. 1783, L.D. 2464, Bill, "An Act to Reform the Workers' Compensation Act and Workers' Compensation Insurance Laws"

Amend the bill in Part A in section 8 in that part designated "~~§401.~~" in subsection 1 in paragraph B in subparagraph (1) in the last line (page 83, line 42 in L.D) by striking out the following: "and"

Further amend the bill in Part A in section 8 in that part designated "~~§401.~~" in subsection 1 in paragraph C in subparagraph (2) in the last line (page 84, line 13 in L.D) by striking out the following: "injury." and inserting in its place the following: 'injury; and'

Further amend the bill in Part A in section 8 in that part designated "~~§401.~~" in subsection 1 by inserting after paragraph C the following:

'D. Employers of 5 or fewer employees, if the employer maintains an employer's liability insurance policy with total limits of not less than \$100,000 multiplied by the number of employees employed by that employer and medical payment coverage of not less than \$1,000.

(1) In computing the number of employees under this paragraph, immediate family members of unincorporated employers, immediate family members of bona fide owners of at least 20% of the outstanding voting stock of an incorporated employer and seasonal and casual workers are not included. For the purposes of this subparagraph, "immediate family members" means parents, spouse, brothers, sisters and children.

2         (2) This exemption does not apply if the employer has  
       employed more than 5 employees in regular and  
4         concurrent manner, as computed under subparagraph (1),  
       at any time during the 52 weeks immediately preceding  
       the injury.'

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8                                 **FISCAL NOTE**

10                 This amendment may reduce the amount of savings resulting  
12                 from the bill's changes to workers' compensation benefits. The  
                effect on the estimated savings to the State and local units of  
14                 government as employers can not be estimated at this time.

16                                 **STATEMENT OF FACT**

18                 This amendment allows small businesses with 5 or fewer  
                employees to elect not to participate in the Workers'  
20                 Compensation System if the employer maintains liability and  
                medical payment insurance coverages. It is modeled on the  
22                 existing provision that applies to small agricultural employees.

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Filed by Rep. McHenry of Madawaska  
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House  
10/2/92                             (Filing No. H-1354)