



118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 1140

H.P. 835

House of Representatives, February 20, 1997

An Act to Clarify the Workers' Compensation Law Concerning Seasonal Agricultural Laborers.

Reference to the Committee on Labor suggested and ordered printed.

JOSEPH W. MAYO, Clerk

Presented by Representative KNEELAND of Easton. Cosponsored by Representatives: CLUKEY of Houlton, LANE of Enfield, O'NEAL of Limestone, SPEAR of Nobleboro, WHEELER of Bridgewater.

Be it enacted by the People of the State of Maine as follows:

2

4

Sec. 1. 39-A MRSA §401, sub-§1, \P B, as enacted by PL 1991, c. 885, Pt. A, §8 and affected by §§9 to 11, is amended to read:

6

8

10

22

24

B. Employers of employees engaged in agriculture or aquaculture as seasonal or casual laborers, if the employer maintains coverage by an employer's liability insurance policy with total limits of not less than \$25,000 and medical payment coverage of not less than \$1,000.

12 (1)As used in this subsection, "casual" means occasional or incidental. "Seasonal" refers to 14 laborers engaged in agricultural or aquacultural employment beginning at or after the commencement of 16 the planting or seeding season and ending at or before the completion of the harvest season. For purposes of 18 this subsection, "seasonal" also includes laborers engaged in activities that involve packing and storing 20 agricultural products and those activities are deemed part of the harvest season; and

SUMMARY

26 This bill amends the Workers' Compensation laws to provide that laborers who engage in activities that involve packing and 28 storage of agricultural products fall under the definition of seasonal employees and further provides that those activities are 30 deemed part of the harvest season. Employers of any such laborers are not liable for securing workers' compensation insurance for 32 those laborers but must maintain liability insurance.

34