MAINE STATE LEGISLATURE

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6   **LABOR**

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10   Reproduced and distributed under the direction of the Clerk of
        the House.

12
                              STATE OF MAINE
14   **HOUSE OF REPRESENTATIVES**
                           119TH LEGISLATURE
16   **SECOND REGULAR SESSION**

18
              COMMITTEE AMENDMENT "*A*" to H.P. 1390, L.D. 1995, Bill, "An
20   Act to Clarify the Workers' Compensation Laws Regarding the
        Agricultural Laborer Exemption"

22
              Amend the bill by striking out everything after the enacting
24   clause and before the summary and inserting in its place the
        following:

26
              'Sec. 1. 39-A MRSA §401, sub-§1, ¶C, as amended by PL 1997, c.
28   359, §1, is repealed and the following enacted in its place:

30   C. Employers of agricultural or aquacultural laborers, if:

32   (3) The employer has 6 or fewer agricultural or
                    aquacultural laborers or the employer has more than 6
34   such laborers but the total number of hours worked by
                    all such laborers in a week does not exceed 240 and has
36   not exceeded 240 at any time during the 52 weeks
                    immediately preceding the injury; and

38
                    (4) The employer maintains an employer's liability
40   insurance policy with total limits of not less than
                    $100,000 multiplied by the number of full-time
42   equivalent agricultural or aquacultural laborers
                    employed by that employer and medical payment coverage
44   of not less than $1,000.

46   For purposes of this paragraph, seasonal and casual workers,
              immediate family members of unincorporated employers and
48   immediate family members of bona fide owners of at least 20%

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2 of the voting stock of an incorporated employer are not considered agricultural or aquacultural laborers. "Immediate family members" means parents, spouses, brothers,
4 sisters and children.'

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SUMMARY

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This amendment replaces the bill. It rewrites the paragraph
10 relating to the agricultural exemption to clarify it. As amended, the law will exempt employers of agricultural or
12 aquacultural employees if they employ 6 or fewer such laborers or they employ more than 6 but the total number of hours worked by
14 all such laborers in a week does not exceed 240 and has not exceeded 240 in any week during the year prior to an injury.

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