

# MAINE STATE LEGISLATURE

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5/19/13  
H. 92

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Date: 4/22/13

L.D. 761  
(Filing No. H-92)

**LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
126TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 512, L.D. 761, Bill, "An Act To Clarify the Agricultural Exemption to the Workers' Compensation Laws"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

**Sec. 1. 39-A MRSA §401, sub-§1, ¶C**, as amended by PL 2001, c. 235, §2, is repealed and the following enacted in its place:

C. Employers of agricultural or aquacultural laborers, if the employer maintains an employer's liability insurance policy with total limits of not less than \$100,000 multiplied by the number of full-time equivalent agricultural or aquacultural laborers employed by that employer and medical payment coverage of not less than \$5,000, and either:

(1) The employer has 6 or fewer concurrently employed agricultural or aquacultural laborers; or

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

For purposes of this paragraph, seasonal and casual workers, immediate family members of unincorporated employers and immediate family members of bona fide owners of at least 20% of the voting stock of an incorporated employer are not considered agricultural or aquacultural laborers. "Immediate family members" means parents, spouses, brothers, sisters and children and the spouses of parents, brothers, sisters and children.'

**SUMMARY**

This amendment strikes the bill and instead reorganizes the text of the existing agricultural labor exemption for workers' compensation liability to provide more clarity

**COMMITTEE AMENDMENT**

A. 2. 8.

COMMITTEE AMENDMENT "A" to H.P. 512, L.D. 761

1 in the law. This amendment also adds the spouses of parents, brothers, sisters and  
2 children under the definition of "immediate family members" not considered agricultural  
3 or aquacultural laborers.

**COMMITTEE AMENDMENT**