

MAINE STATE LEGISLATURE

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EIGHTY-FIRST LEGISLATURE

SENATE

NO. 92

In Senate, Feb. 15, 1923.

Referred to Committee on Judiciary and five hundred copies ordered printed. Sent down for concurrence.

L. ERNEST THORNTON, Secretary.

Presented by Senator Hussey of Aroostook.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND TWENTY-THREE

AN ACT to Amend Paragraph Two of Section One of Chapter Fifty, Revised Statutes, as Amended by Chapter Two Hundred Thirty-eight, Public Laws of Nineteen Hundred Nineteen, Relating to Compensation to Employees.

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

Paragraph two, section one of chapter fifty of the revised 2 statutes, as amended by chapter two hundred thirty-eight 3 of the public laws of nineteen hundred nineteen, is hereby 4 further amended by striking out the words "state contin- 5 gent fund" in the last line and substituting therefor the 6 words 'appropriation for the department or institution to

7 which the employee belonged when injured,' so that said
8 paragraph, as amended, shall read as follows:

'Paragraph II. "Employee" shall include every person in
2 the service of another under any contract of hire, express
3 or implied, oral or written, except: (a) farm laborers; (b)
4 domestic servants; (c) masters of and seamen on vessels
5 engaged in interstate or foreign commerce; (d) person
6 whose employment is but casual, or is not in the usual
7 course of the trade, business, profession or occupation of
8 his employer; (e) officials of the state, counties, cities,
9 towns or water districts and other quasi-municipal corpo-
10 rations of a similar character. Policemen and firemen shall
11 be deemed employees within the meaning of this act. If,
12 however, any policeman or fireman claims compensation
13 under this act, there shall be deducted from such compen-
14 sation any sum which such policeman, fireman or other
15 person may be entitled to receive from any pension or
16 other benefit fund to which the state or municipal body
17 may contribute; (f) except that any town or city may, in
18 lieu of the compensation and insurance provided by this
19 act, continue any member of the fire department or police
20 force in said town, who may have been injured in the course
21 of his duties, on the pay roll at full pay, if such full pay
22 exceeds the maximum compensation provided for employees
23 under this act. Any reference to an employee who has
24 been injured shall, when the employee is dead, also include
25 his legal representatives, dependents, and other persons to

26 whom compensation may be payable; (g) all persons em-
27 ployed by the state or under the direction and control of
28 any department of the state shall be entitled to the benefits
29 of chapter fifty of the revised statutes. The governor and
30 council shall order such compensation as shall be assessed,
31 paid from the appropriation for the department or insti-
32 tution to which the employee belonged when injured.'