

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

**FIRST REGULAR SESSION**

December 5, 1984 to June 20, 1985

Chapters 1-384

PUBLISHED BY THE REVISOR OF STATUTES IN ACCORDANCE WITH  
MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 163-A,  
SUBSECTION 4.

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J.S. McCarthy Co., Inc.  
Augusta, Maine  
1986

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

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ONE HUNDRED AND TWELFTH LEGISLATURE

1985

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ly members" means parents, spouse, brothers, sisters and children.

(2) This exemption does not apply if the employer has employed more than 6 agricultural or aquacultural laborers in regular and concurrent manner, as computed under subparagraph (1), at any time during the 52 weeks immediately preceding the injury.

The burden of proof to establish an exempt status under this section is on the employer claiming the exemption.

2. Governmental bodies. The State and every county, city and town is subject to this Act and shall secure the payment of compensation in conformity with sections 22 to 27.

Sec. 5. 39 MRSA §96-B, sub-§1, as enacted by PL 1983, c. 318, is amended to read:

1. Claim of exemption; answer. If an employer carries employer liability insurance as required by sections 27 4 and ~~21~~ 21-A and claims to fall within one of the agricultural or aquacultural exemptions in section 27 4 or ~~21~~ 21-A, the employer may raise this either in an answer filed under section 97 or by motion. The employer shall file such a motion with the commission within 5 days after receipt of the employee's petition and shall mail a copy thereof to the employee. The employer shall file affidavits, records, proof of insurance and other evidence supporting his claim for an exemption, together with the motion. Within 5 days after receipt of the employer's motion, the employee may file a reply with the commission, together with affidavits, records and other evidence supporting his claim that the employer does not fall within an agricultural or aquacultural exemption. If the employee files a reply, a copy thereof shall be mailed to the employer.

Effective September 19, 1985.

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## CHAPTER 250

S.P. 242 - L.D. 637

AN ACT to Clarify the Maine State Retirement System's Board of Trustees' Relationship with the System's Investment Managers.

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

5 MRSA §1031, sub-§15, as amended by PL 1975, c. 771, §59, is repealed and the following enacted in its place:

15. Investment and other counsel. The board of trustees may contract with one or more fiduciaries or registered investment advisers whose duties shall be the investment and reinvestment of funds of the retirement system in accordance with the standards defined in Title 18-A, section 7-302. The investment and reinvestment shall be subject to periodic review by the board of trustees. The fiduciary or adviser shall inform the board immediately of any changes in its investment philosophy. He shall submit reports of the investments and any changes upon request from the board. All contracts with fiduciaries or registered investment advisers shall have the approval of the Governor.

The board may also contract for the services of other investment counsel or advice and other professional or other assistance as may be necessary or appropriate to aid in carrying out its functions.

The expenses incurred in employing one or more fiduciaries or investment advisers, or the services of other investment counsel or advice and other professional or other assistance, shall be charged to earnings received from the investments.

Effective September 19, 1985.

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## CHAPTER 251

H.P. 972 - L.D. 1394

AN ACT to Modify the Voting Procedure for the  
Conversion of a Mutual Financial  
Institution to a Stock Form of  
Ownership.

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

9-B MRSA §344, sub-§3, as repealed and replaced by PL 1981, c. 553, §1, is amended to read: