

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**  
**ONE HUNDRED AND TWENTIETH LEGISLATURE**  
**FIRST REGULAR SESSION**  
**December 6, 2000 to June 22, 2001**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 21, 2001**

**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 Company**  
**Augusta, Maine**  
**2001**

## CHAPTER 235

## H.P. 602 - L.D. 757

**An Act to Amend the Maine  
Workers' Compensation Act of 1992  
as it Relates to Medical Payment  
Coverage**

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

**Sec. 1. 39-A MRSA §102, sub-§17**, as enacted by PL 1991, c. 885, Pt. A, §8 and affected by §§9 to 11, is amended to read:

**17. Private employer.** "Private employer" includes corporations, including professional corporations, partnerships and natural persons. Any agricultural employer otherwise included under this Act is not included when harvesting 150 cords of wood or less each year from farm wood lots, provided that, in order to qualify for this exemption, the employer must be covered 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~~ \$5,000.

**Sec. 2. 39-A MRSA §401, sub-§1, ¶B**, as enacted by PL 1991, c. 885, Pt. A, §8 and affected by §§9 to 11, is amended to read:

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~~ \$5,000.

(1) As used in this subsection, "casual" means occasional or incidental. "Seasonal" refers to laborers engaged in agricultural or aquacultural employment beginning at or after the commencement of the planting or seeding season and ending at or before the completion of the harvest season; and

**Sec. 3. 39-A MRSA §401, sub-§1, ¶C**, as repealed and replaced by PL 1999, c. 610, §1, is amended to read:

C. Employers of agricultural or aquacultural laborers, if:

(3) The employer has 6 or fewer agricultural or aquacultural laborers or the employer has more than 6 such 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 the injury; and

(4) 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 ~~\$1,000~~ \$5,000.

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.

See title page for effective date.

## CHAPTER 236

## S.P. 121 - L.D. 397

**An Act to Amend the Laws  
Governing Small Brewery Licenses**

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

**Sec. 1. 28-A MRSA §1355, sub-§1-A, ¶C**, as amended by PL 1993, c. 542, §1, is further amended to read:

C. The holder of a brewery license may sell on the brewery premises during regular business hours to nonlicensees only a specialty package of malt liquor produced at the brewery. The volume of the specialty package may not exceed ~~5 liters~~ 15.5 gallons and must be consumed off the premises. The sale of specialty packages described in this paragraph must comply with keg tagging requirements provided in section 714. The brewery shall submit a monthly report to its wholesaler detailing sales made directly from the brewery premises. The wholesaler shall calculate the fees for any bottle deposit and submit an invoice to the brewery for expenses associated with the requirements prescribed in Title 32, chapter 28 including the retailer handling fee, state container deposit and a mutually agreed-upon pick-up fee.

**Sec. 2. 28-A MRSA §1355, sub-§2-A** is enacted to read:

**2-A. Small breweries that exceed production limit; license renewal.** The bureau, upon application