

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND THIRD LEGISLATURE

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Legislative Document

No. 1133

S. P. 456

In Senate, February 28, 1967

Referred to Committee on Labor. Sent down for concurrence and ordered printed.

JERROLD B. SPEERS, Secretary

Presented by Senator Johnson of Somerset.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-SEVEN

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AN ACT Relating to Coverage Under Employment Security Law.

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

**Sec. 1. R. S., T. 26, § 1043, sub-§ 9, repealed and replaced.** Subsection 9 of section 1043 of Title 26 of the Revised Statutes is repealed and the following enacted in place thereof:

**9. Employer. "Employer" means:**

**A.** Any employing unit which within either the current or preceding calendar year has wages in the amount of \$450 or more payable for employment during a calendar quarter prior to January 1, 1968, or has paid during a calendar quarter for employment after December 31, 1967, wages in the amount of \$450 or more; or any employing unit which in each of 13 different weeks within the current or preceding calendar year, whether or not such weeks are consecutive, has in employment one or more individuals, not necessarily simultaneously and irrespective of whether the same individuals are or were employed in each such week;

**Sec. 2. R. S., T. 26, § 1222, sub-§ 2, repealed and replaced.** Subsection 2 of section 1222 of Title 26 of the Revised Statutes is repealed and the following enacted in place thereof:

**2. Termination of employer's coverage.**

**A.** Except as otherwise provided in subsection 3, an employing unit shall cease to be an employer subject to this chapter as of the first day of January of any calendar year, only if it files with the commission, prior to the 31st day of January of such year, a written application for termination of coverage,

and the commission finds that there was no calendar quarter within the preceding calendar year within which such employing unit had wages for employment amounting to \$450 or more, and that there were no 13 different weeks within the preceding calendar year, within which such employing unit employed one or more individuals in employment subject to this chapter. For the purpose of this subsection, the 2 or more employing units mentioned in section 1043, subsection 9, paragraphs B or C or D shall be treated as a single employing unit.

B. The commission may upon its own motion terminate coverage of any employer when the commission finds that there was no calendar quarter within the preceding calendar year within which such employing unit had wages for employment amounting to \$450 or more, and that there were no 13 different weeks within the preceding calendar year, within which such employing unit employed one or more individuals in employment subject to this chapter; and the commission may, upon its own motion, terminate the coverage of an employing unit which had become an employer by virtue of subsection 3, as of January 1st of any calendar year when such employing unit has, by virtue of approval of its election to become a subject employer, been such a subject employer for the 2 or more preceding calendar years.