

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 4

H. P. 4

Office of the Clerk of the House

Filed November 22, 1968 under Joint Rule 6 by Mr. Farnham of Hampden. To be printed and delivered to the House of Representatives of the 104th Legislature.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Farnham of Hampden.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-NINE

AN ACT Relating to Definition of Employer Under
Employment Security Law.

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

Sec. 1. R. S., T. 26, § 1043, sub-§ 9, ¶ A, amended. Paragraph A of subsection 9 of section 1043 of Title 26 of the Revised Statutes is amended to read as follows :

A. On and after January 1, 1956, and prior to January 1, 1970, any employing unit which for some portion of a day, but not necessarily simultaneously, in each of 20 different weeks, whether or not such weeks were consecutive, within a calendar year starting with 1955, had in employment 4 or more individuals, irrespective of whether the same individuals are or were employed in each such day ;

Sec. 2. R. S., T. 26, § 1043, sub-§ 9, ¶ A-1, additional. Subsection 9 of section 1043 of Title 26 of the Revised Statutes is amended by adding a new paragraph A-1, to read as follows :

A-1. On and after January 1, 1970, any employing unit which, in each of 20 different weeks, whether or not such weeks are or were consecutive, within either the current or the preceding calendar year, has or had in employment one or more individuals, irrespective of whether the same individual was employed in each such week. However, no contributions shall become due and payable from those employers covered by this paragraph for the calendar year 1969.

Sec. 3. R. S., T. 26, § 1222, sub-§ 2, amended. Subsection 2 of section 1222 of Title 26 of the Revised Statutes is amended to read as follows:

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 were no 20 different ~~days each day being in a different week~~ **weeks**, within the preceding calendar year, within which such employing unit employed ~~± one~~ **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, paragraph 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 were no 20 different ~~days each day being in a different week~~ **weeks** within the preceding calendar year, within which such employing unit employed ~~± one~~ **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.