

MAINE STATE LEGISLATURE

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NEW DRAFT OF: H. P. 819, L. D. 1058

ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 1524

H. P. 1201

House of Representatives, May 19, 1969

Reported by 5 members (Report "A") of the Committee on Labor. Printed under Joint Rules No. 18.

BERTHA W. JOHNSON, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-NINE

**AN ACT Providing for Unemployment Compensation for State and
Municipal Employees.**

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

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

H. On and after January 1, 1970, this State shall be regarded as an employer.

Sec. 2. R. S., T. 26, § 1043, sub-§ 10, amended. The first sentence of subsection 10 of section 1043 of Title 26 of the Revised Statutes is amended to read as follows:

10. Employing unit. "Employing unit" means any individual or type of organization, including any partnership, association, trust, estate, joint stock company, insurance company or corporation, whether domestic or foreign, or the receiver, trustee in bankruptcy, trustee or successor thereof, or the legal representative of a deceased person, which has or subsequent to January 1, 1935, had in its employ one or more individuals performing services for it within this State, and, on and after January 1, 1970, including the State Government, and any political subdivision or instrumentality thereof.

Sec. 3. R. S., T. 26, § 1043, sub-§ 11, ¶ F, sub-¶ (1), amended. Subparagraph (1) of paragraph F of subsection 11 of section 1043 of Title 26 of the Revised Statutes is amended to read as follows:

(1) Service performed in the employ of this State prior to January 1, 1970, or service performed in the employ of any political subdivision thereof, or of any instrumentality of this State or its political subdivisions, except such political subdivisions, or instrumentality or its political subdivision as elects to become subject as provided in section 1222, subsection 3 :

Sec. 4. R. S., T. 26, § 1043, sub-§ 11, ¶ F, sub-¶ (21) additional. Paragraph F of subsection 11 of section 1043 of Title 26 of the Revised Statutes, as amended by chapter 294 of the public laws of 1967, is further amended by adding a new subparagraph (21) to read as follows :

(21) Service performed in the employ of this State, or in the employ of its political subdivisions or any instrumentality of this State or its political subdivisions which shall have elected to become subject to the provisions of this chapter, by :

- (a) Elected officials ;
- (b) Officials paid on a fee or per diem basis ;
- (c) Physicians, dentists and student nurses in institutions or attached to departments of the government who are employed part time, or any other professional specialists employed on the same basis ;
- (d) Members of the faculties of state schools, colleges or universities, and teachers and other employees of the school system of such political subdivisions ;
- (e) Inmates of State institutions who receive compensation for services rendered therein ;
- (f) All department heads and members of boards and commissions appointed by the Governor with or without the consent of the Executive Council ;
- (g) All clerks and judges of the district, Superior and Supreme Courts and all officers and employees of the legislative branch of the State Government ;
- (h) Individuals employed on any work-relief project undertaken by the State ;
- (i) Individuals employed other than in full-time year-round positions in classified service ;
- (j) Individuals in the military service or under the military control of the State.

Sec. 5. R. S., T. 26, § 1221, sub-§ 10, additional. Section 1221 of Title 26 of the Revised Statutes, as amended, is further amended by adding a new subsection 10, to read as follows :

10. Payments by State of Maine, its instrumentalities and subdivisions. In lieu of contributions required by employers under this chapter, the State of Maine, or any instrumentality or political subdivision thereof which has

elected to become subject to this chapter, shall pay into the unemployment compensation fund an amount equal to the amount of benefits paid and charged to their respective accounts based on wages paid by them. Such accounts shall be maintained in such manner as the commission may prescribe. If benefits paid an individual are based on wages paid by one or more such governmental employers, the amount payable by each such employer to the fund with respect to such individual shall be equal to the amount of benefits received by the individual which bears the same ratio to total benefits paid to the individual as base-period wages paid to the individual by each such governmental employer bear to the total amount of base-period wages paid to the individual by all his base-period employers.

Such payments shall be made at such time and in such manner as the commission may prescribe. The commission shall maintain a separate account for each department, commission or other budgetary unit of the State. Payments by the State under this subsection shall be charged to funds available for the payment of services and salaries in each such department, commission or other budgetary unit according to the amount of benefits charged to the account of each such budgetary unit.