

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 1305

H. P. 985

House of Representatives, March 6, 1973

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

E. LOUISE LINCOLN, Clerk

Presented by Mr. Farnham of Hampden.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

AN ACT to Include Holiday Pay for Purposes of Employment Security Law.

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

Sec. 1. R. S., T. 26, § 1043, sub-§ 17, §§ A and B, amended. Paragraphs A and B of subsection 17 of section 1043 of Title 26 of the Revised Statutes, as amended, are further amended to read as follows:

A. An individual shall be deemed "totally unemployed" in any week with respect to which no wages are payable to him and during which he performs no services, ~~except that remuneration payable or received as holiday pay shall not be deemed wages for the purpose of this subsection and~~ except that any amounts received from the Federal Government by members of the National Guard and organized reserve, including base pay and allowances, or any amounts received by volunteer firemen, shall not be deemed wages for the purpose of this subsection.

B. An individual shall be deemed "partially unemployed" in any week of less than full-time work if his wages payable from any source for such week are not \$5 or more in excess of the weekly benefit amount he would be entitled to receive if totally unemployed and eligible, ~~except that remuneration payable or received as holiday pay shall not be deemed wages for the purpose of this subsection and~~ except that any amounts received from the Federal Government by members of the National Guard and organized reserve, including base pay and allowances, or any amounts received by volunteer firemen, shall not be deemed wages for the purpose of this subsection.

Sec. 2. R. S., T. 26, § 1191, sub-§ 3, amended. Subsection 3 of section 1191 of Title 26 of the Revised Statutes, as last repealed and replaced by

section 2 of chapter 457 of the public laws of 1965, is amended to read as follows:

4. Weekly benefit for partial unemployment. On and after April 1, 1966, each eligible individual who is partially unemployed in any week shall be paid with respect to such week a partial benefit in an amount, equal to his weekly benefit amount less that part of his earnings paid or payable to him with respect to such week which is in excess of \$10 plus any fraction of a dollar, ~~except that remuneration payable or received as holiday pay shall not be deemed wages for the purpose of this subsection and~~ except that any amounts received from the Federal Government by members of the National Guard and organized reserve, including base pay and allowances, or any amounts received by volunteer firemen, shall not be deemed wages for the purpose of this subsection.

STATEMENT OF FACT

The purpose of this legislation is to include holiday pay in the computation of "wages" for purposes of determining benefits available to employees as a result of unemployment.