

MAINE STATE LEGISLATURE

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(EMERGENCY)
SECOND REGULAR SESSION

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1/5/78

ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 2000

H. P. 1932

Office of the Clerk of the House

The Committee on Labor suggested. Approved for introduction by the Legislative Council pursuant to Joint Rule 24.

EDWIN H. PERT, Clerk

Presented by Mr. Garsoe of Cumberland

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-EIGHT

**AN ACT to Authorize Local School Committees to Elect the Method of Funding
Unemployment Compensation.**

Emergency Preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, "Governmental entities," as defined by the Revised Statutes, Title 26, section 1043, subsection 28, must elect by January 31, 1978, what method will be used to cover their employees for unemployment compensation; and

Whereas, ambiguity exists over whether in a community school district the community school committee or the board of trustees decides by what method community school district employees are to be covered by unemployment compensation; and

Whereas, all local school committees are satutorily responsible for the fiscal management of the schools; and

Whereas, in the judgement of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 26 MRSA § 1043, sub-§ 28, as enacted by PL 1977, c. 570, § 20, is repealed and the following enacted in its place:

28. Governmental entity. "Governmental entity" means the State of Maine, its instrumentalities, political subdivisions and school administrative units as represented by their elected or appointed governing bodies shall include, without limitation, city and town councils, boards of selectmen and boards of county commissioners. In the case of school administrative units, governing bodies shall include, without limitation, municipal school committees, school administrative district directors and community school district school committees. In the case of special purpose districts, governing bodies shall include, without limitation, boards of directors or trustees.

Sec. 2. 26 M.R.S.A. § 1221, sub-§ 12, as enacted by PL 1971, c. 538, § 43, is amended by adding at the end a new sentence to read:

This subsection shall not apply to governmental entities as defined by section 1043, subsection 28, whether they act singularly or in a group or groups and shall not apply to their group accounts as allowed by subsection 15.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

STATEMENT OF FACT

The purpose of this bill is reflected in the emergency preamble.