

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 902

S. P. 309

In Senate, March 2, 1979

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

Presented by Senator Redmond of Somerset.

MAY M. ROSS, Secretary of the Senate

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

**AN ACT to Require that Holiday Pay Be Considered Wages For the Purposes of
Unemployment Compensation.**

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

26 MRSA § 1043, Sec. 1, sub-§ 17, ¶¶ A and B as last amended by PL 1975, c. 201, §§ 1 and 2 are further amended to read:

A. An individual, including corporate officers, 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, including corporate officers, 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 as a volunteer fireman, shall not be deemed wages for the purposes of this subsection.

26 MRSA § 1191, sub-§ 3, 1st sentence, as amended by PL 1975, c. 710, § 1-A is further amended to read:

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 or by elected members of the Legislature, shall not be deemed wages for the purpose of this subsection.

STATEMENT OF FACT

The purpose of this bill is to require that "holiday pay" be considered as wages for the purpose of applying for unemployment compensation.