

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 672

6
7 S.P. 228

In Senate, February 10, 1983

8 Referred to the Committee on Labor, sent down for concurrence and
9 ordered printed.

10 JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Perkins of Hancock.

Cosponsors: Senator Brown of Washington, Representative Perkins of
11 Brooksville and Representative Zirnkilton of Mount Desert.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT Relating to Changes in
18 Method That Unemployment Benefits are
19 Charged to Experience Rating Records.
20

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

23 26 MRSA §1251, as amended by PL 1977, c. 694,
24 §§482 and 483, is repealed and the following enacted
25 in its place:

26 §1251. Investigations; hearings; regulations

27 1. Seasonal industry. As used in this subchap-
28 ter, the term "seasonal industry" means an industry
29 in which, because of the seasonal nature thereof, it
30 is customary to operate during regularly recurring
31 period or periods of less than 40 weeks in a calendar
32 year. The commission shall, after investigation and
33 hearing, determine, and may thereafter redetermine,

1 the longest seasonal period or periods during which,
2 by the best practice of the industry in question,
3 operations are conducted. Until the determination,
4 no industry may be deemed seasonal.

5 Any hotel, motel, inn, camp or other lodging facil-
6 ity, including camps operated for boys and girls,
7 restaurants and other eating establishments which
8 customarily conducts its operations which are prima-
9 rily related to the production of its characteristic
10 goods or services for a regularly recurring period or
11 periods not exceeding 180 days in any one year shall
12 be deemed seasonal.

13 2. Payments to individuals. The payments to
14 individuals, whose qualifying wages were in whole or
15 in part in seasonal industries, of benefits, as to
16 amount or period, shall be determined in the same
17 manner as for any other claimant for unemployment
18 benefits.

19 Benefits paid to a claimant for unemployment after
20 being terminated by an employer in seasonal industry,
21 after a requisite period of employment so as to make
22 the seasonal employer liable to have those payments
23 charged to its experience rating record, shall be
24 charged to the seasonal employer only for the remain-
25 ing period of that employer's operations during the
26 seasonal period. Benefits paid after that employer's
27 cessation of operation shall be charged to general
28 funds.

29 STATEMENT OF FACT

30 The purpose of this bill is to change the unem-
31 ployment compensation law relating to seasonal or
32 short-term employers. Rather than charge the season-
33 al employer for benefits predicated on an employee's
34 wages over a full year working elsewhere, the bill
35 restricts those changes to the period the seasonal
36 employer is actually operating.

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