MAINE STATE LEGISLATURE

The following document is provided by the

LAW AND LEGISLATIVE DIGITAL LIBRARY

at the Maine State Law and Legislative Reference Library

http://legislature.maine.gov/lawlib



Reproduced from scanned originals with text recognition applied (searchable text may contain some errors and/or omissions)



116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 1128

S.P. 372

In Senate, April 1, 1993

An Act Concerning Unemployment Insurance.

Reference to the Committee on Labor suggested and ordered printed.

JOY J. O'BRIEN Secretary of the Senate

Presented by Senator HANDY of Androscoggin. (BY REQUEST).

	Be it enacted by the People of the State of Maine as follows:
2	Con 1 26 MDCA \$10/2 ash \$11 ME
4	Sec. 1. 26 MRSA §1043, sub-§11, ¶E, as amended by PL 1979, c. 651, §45, is further amended to read:
6	E. Services performed by an individual for remuneration
8 : 1	shall-be <u>are</u> deemed to be employment subject to this chapter unless and-until it is shown to the satisfaction of the
10	Dureau that: "人员的人员 是一个人的人员的人员的人。
12	(1) Such $\underline{\text{The}}$ individual has been and will continue to be free from control or direction over the performance
14	of such <u>those</u> services, both under his <u>that</u> individual's contract of service and in fact;
16	(2) Such-service-is-either-outside-the-usual-course-of
18	the-business-fer-which-such The service is performed, or that such the service is performed outside of all
20	the places of business of the enterprise for which such the service is performed; and
22	(3) Such <u>The</u> individual is customarily engaged in an
24	independently established trade, occupation, profession or business.
26	STATEMENT OF FACT
28	
:20	This bill amends the so-called ABC test in the unemployment
30	security laws. Under this bill, a contractor may use an independent contractor to perform services that may or may not be
32	in the usual course of the contractor's business and, if the
34	other prongs of the ABC test are met, the independent contractor is not an employee of the contractor.