

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)



117th MAINE LEGISLATURE

SECOND REGULAR SESSION-1996

Legislative Document

No. 1807

H.P. 1320

House of Representatives, February 22, 1996

**An Act to Exclude Services Provided by Direct Sellers from the
Definition of Employment for Purposes of Unemployment Compensation.**

Reference to the Committee on Labor suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative JOY of Crystal. (GOVERNOR'S BILL)
Cosponsored by Senator BEGLEY of Lincoln and
Representatives: HATCH of Skowhegan, STEDMAN of Hartland, TUTTLE of Sanford.

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

2

Sec. 1. 26 MRSA §1043, sub-§11, ¶F, as amended by PL 1995, c. 204, §§1 and 2, is further amended by amending subparagraphs (36) and (37) to read:

6

(36) Service performed by a full-time student, as defined in subsection 30, in the employ of an organized camp if the full-time student performed services in the employ of the camp for less than 13 calendar weeks in the calendar year and the camp:

12

(a) Did not operate for more than 7 months in the calendar year and did not operate for more than 7 months in the preceding calendar year; or

16

(b) Had average gross receipts for any 6 months in the preceding calendar year that were not more than 33 1/3% of its average gross receipts for the other 6 months in the preceding calendar year; and

20

(37) Services performed by an individual as a home stitcher as long as that employment is not subject to federal unemployment tax; and

24

Sec. 2. 26 MRSA §1043, sub-§11, ¶F, as amended by PL 1995, c. 204, §§1 and 2, is further amended by adding a new subparagraph (38) to read:

28

(38) Services performed by a direct seller as defined in 26 United States Code, Section 3508, Subsection (b), Paragraph (2). This subparagraph does not include a person selling major improvements or renovations to the structure of a home, business or property.

34

36

STATEMENT OF FACT

38

This bill exempts the remuneration paid to some direct sellers from unemployment insurance contributions under the Employment Security Law. Remuneration thus exempted may not be used to establish coverage for unemployment insurance. The bill is intended to exempt individual distributors such as Mary Kay, Avon, Amway and Tupperware. It does not exempt sellers of major renovations or improvements to the structure of a home, business or property.

46