

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 981

H.P. 762

House of Representatives, February 20, 2001

**An Act to Amend the Laws Governing the Maine Unemployment
Insurance Commission.**

Reference to the Committee on Labor suggested and ordered printed.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative TUTTLE of Sanford.
Cosponsored by Senator SAWYER of Penobscot and
Representatives: BUNKER of Kossuth Township, CRESSEY of Baldwin, LUNDEEN of
Mars Hill, MATTHEWS of Winslow, NORTON of Bangor, SMITH of Van Buren,
TARAZEWICH of Waterboro, TREADWELL of Carmel.

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

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4 **Sec. 1. 26 MRSA §1081, sub-§1**, as amended by PL 1987, c. 641, §1, is further amended to read:

6 **1. Commission.** The Maine Unemployment Insurance Commission shall ~~consist~~ consists of ~~3~~ 5 members, ~~one~~ 2 of whom shall ~~must~~ must be ~~a representative~~ representatives of labor, ~~one~~ 2 of whom shall ~~must~~ must be ~~a representative~~ representatives of employers and one of whom shall ~~must~~ must be a representative of the general public who shall ~~must~~ must be impartial and an attorney admitted to the practice of law in the State ~~and shall be the chairman of the commission.~~ Of the 5 members, one must be a woman. The members shall elect the chair. Except as provided in this subsection, the ~~3~~ 5 members and their successors shall ~~be~~ are appointed by the Governor with a regional distribution throughout the State, subject to review by the joint standing committee of the Legislature having jurisdiction over labor and to confirmation by the Senate, to hold office for a term of 6 years or until a successor has been duly appointed and confirmed, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which a predecessor was appointed shall ~~be~~ is appointed for the remainder of the term. During a term of membership on the commission, a member shall ~~may~~ may not engage in any other business, vocation or employment, nor serve as an officer or committee member of any political organization.

28 **Sec. 2. 26 MRSA §1081, sub-§3**, as amended by PL 1987, c. 641, §2, is further amended to read:

30 **3. Quorum.** Any ~~2~~ 3 members of the commission shall constitute a quorum. Whenever the commission hears any case under this chapter and Title 36, chapter 831, the ~~chairman~~ chair shall act alone in the absence or disqualification of any other member, provided that in the event of illness or extended absence on the part of the ~~chairman~~ chair or in the event of a vacancy in that position, the remaining members may act on appeals, conduct hearings, and render decisions, provided ~~both~~ all members agree. Except as otherwise provided, no vacancy may impair the right of the remaining members to exercise all of the powers of the commission. Any action, decision, order, rule or recommendation ~~which~~ that is required by law to be made by the Maine Unemployment Insurance Commission shall ~~may~~ may not be made until the commission has held a meeting in the regular course of its business for which all members have been provided with reasonable notice of the meeting and its agenda.

48 **Sec. 3. 26 MRSA §1081, sub-§§4 and 5** are enacted to read:

50 **4. Report.** The commission shall report each year to the joint standing committee of the Legislature having jurisdiction over labor matters. The report must include the disposition of

2 the cases from the preceding year including the number of cases
3 decided in favor of the employer and the number of cases decided
4 in favor of the employee.

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5. Location. The commission must be located in Augusta.

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SUMMARY

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This bill makes changes to the composition of the membership of the Maine Unemployment Insurance Commission, requires the commission to report yearly to the Legislature and requires the commission to be located in Augusta.