

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1335

H.P. 998

House of Representatives, March 5, 2001

**An Act to Clarify the Employment Status of Owner-operators in the
Trucking Industry.**

Reference to the Committee on Labor suggested and ordered printed.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative TREADWELL of Carmel.
Cosponsored by Senator SAWYER of Penobscot and
Representatives: DAVIS of Falmouth, MacDOUGALL of North Berwick.

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

Sec. 1. 26 MRSA §1043, sub-§11, ¶F, as amended by PL 1999, c. 389, §§1 to 3 and affected by §4, is further amended by amending subparagraphs (42) and (43) to read:

(42) Services performed by participants enrolled in programs or projects under the national service laws including the federal National and Community Service Act of 1990, as amended, 42 United States Code, Section 12501 et seq., and the federal Domestic Volunteer Service Act, as amended, 42 United States Code, Section 4950 et seq.; and

(43) Services of an author in furnishing text or other material to a publisher who:

(a) Does not control the author's work except to propose topics or to edit material submitted;

(b) Does not restrict the author from publishing elsewhere;

(c) Furnishes neither a place of employment nor equipment for the author's use;

(d) Does not direct or control the time devoted to the work; and

(e) Pays only for material that is accepted for publication; and

Sec. 2. 26 MRSA §1043, sub-§11, ¶F, as amended by PL 1999, c. 389, §§1 to 3 and affected by §4, is further amended by enacting subparagraph (44) to read:

(44) Services provided by an owner-operator of a truck or truck tractor while leased to a motor carrier, as defined in 49 Code of Federal Regulations, 390.5 (2000).

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SUMMARY

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This bill provides an exemption from unemployment compensation laws to an owner-operator of a truck or truck tractor who is leased to a motor carrier.