

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 839

H.P. 607

House of Representatives, March 8, 2021

An Act To Address Unemployment Issues Facing School Employees

Reference to the Committee on Labor and Housing suggested and ordered printed.

Handwritten signature of Robert B. Hunt in cursive.

ROBERT B. HUNT
Clerk

Presented by Representative DODGE of Belfast.
Cosponsored by Senator RAFFERTY of York and
Representatives: COLLINGS of Portland, McCREA of Fort Fairfield, SALISBURY of
Westbrook.

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

2 **Sec. 1. 26 MRSA §1043, sub-§17**, as amended by PL 1991, c. 193, §2 and c. 548,
3 Pt. D, §2, is further amended to read:

4 **17. Unemployment, total and partial.** "Unemployment, total and partial," means:

5 A. An individual, including corporate officers, is considered "totally unemployed" in
6 any week with respect to which wages are not payable to the individual and during
7 which the individual does not perform services, except that remuneration payable or
8 received as holiday pay is not considered wages for the purpose of this subsection and
9 except that any amounts received from the Federal Government by members of the
10 National Guard and organized reserve, including base pay and allowances, ~~or~~ any
11 amounts received as a volunteer firefighter or a volunteer emergency medical services
12 person or any amounts received by an employee of an educational institution for work
13 performed during an academic year or term during a period between 2 successive
14 academic years or terms during which the employee is not providing services for the
15 educational institution, are not considered wages for the purpose of this subsection.

16 B. An individual, including corporate officers, is considered "partially unemployed"
17 in any week of less than full-time work if the individual's wages payable from any
18 source for such week are not \$5 or more in excess of the weekly benefit amount the
19 individual would be entitled to receive if totally unemployed and eligible, except that
20 remuneration payable or received as holiday pay is not considered wages for the
21 purpose of this subsection and except that any amounts received from the Federal
22 Government by members of the National Guard and organized reserve, including base
23 pay and allowances, ~~or~~ any amounts received as a volunteer firefighter, a volunteer
24 emergency medical services person or as an elected member of the Legislature or any
25 amounts received by an employee of an educational institution for work performed
26 during an academic year or term during a period between 2 successive academic years
27 or terms during which the employee is not providing services for the educational
28 institution, are not considered wages for the purpose of this subsection.

29 C. An individual's week of unemployment ~~shall be~~ is deemed to commence only after
30 ~~his~~ the individual's registration at an employment office, except as the commission may
31 by regulation otherwise prescribe.

32 **SUMMARY**

33 This bill provides that wages received by an employee of an educational institution for
34 work performed during an academic year or term during a period between 2 successive
35 school years or terms during which the employee is not providing services for the
36 educational institution are not considered wages for the purpose of eligibility for
37 unemployment benefits.