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1	H.750
2	Introduced by Representative LaBounty of Lyndon
3	Referred to Committee on
4	Date:
5	Subject: Labor; unemployment insurance; eligibility; General Assembly
6	members
7	Statement of purpose of bill as introduced: This bill proposes to classify
8	service as a member of the General Assembly as employment that makes an
9	individual eligible for unemployment insurance benefits.
10 11	An act relating to unemployment insurance eligibility for members of the General Assembly
12	It is hereby enacted by the General Assembly of the State of Vermont:
13	Sec. 1. 21 V.S.A. § 1301 is amended to read:
14	§ 1301. DEFINITIONS
15	As used in this chapter:
16	* * *
17	(6)(A)(i) "Employment," subject to the other provisions of this
18	subdivision (6), means service within the jurisdiction of this State performed
19	by an employee, as defined in subsections 3306(i) and (o) of the Federal

Unemployment Tax Act, including service in interstate commerce, performed

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1	for wages or under any contract of nire, written or oral, expressed or implied.
2	Services partly within and partly outside this State may by election as provided
3	in subdivision (5)(E)(i) of this section be treated as if wholly within the
4	jurisdiction of this State. If an employing unit has elected to come under the
5	provisions of a similar act of a state where a part of the services of an
6	employee are performed, the Commissioner, upon approving the election as to
7	the employee, may treat the services covered by the election as having been
8	performed wholly outside the jurisdiction of this State.
9	* * *
10	(C) The term "employment" shall not include:
11	* * *
12	(vi)(I) Before January 1, 1978, service performed in the employ of
13	a state, a political subdivision thereof, or an instrumentality of one or more
14	states or political subdivisions except as otherwise provided in this chapter
15	with respect to service for a hospital or institution of higher education located
16	in this State, and except as to any town, city, or other municipal corporation, as
17	defined by 24 V.S.A. § 1751, or an instrumentality thereof, that duly elects
18	otherwise, as provided by this chapter with the Commissioner's approval.
19	(II) After December 31, 1977, Service performed in the employ

of a governmental entity referred to in subdivision (6)(A)(x) of this section if

such the service is performed by an individual in the exercise of duties:

1	(aa)(I) as an elected official, except that service as an elected
2	member of the General Assembly shall be employment;
3	(bb)(II) as a member of a legislative body, of a political
4	subdivision or a member of the judiciary, of a state or political subdivision;
5	(ce)(III) as a member of the State National Guard or Air
6	National Guard;
7	(dd)(IV) as an employee serving on a temporary basis in
8	case of fire, storm, snow, earthquake, flood, or similar emergency; or
9	$\frac{(ee)(V)}{(ee)}$ in a position that, under or pursuant to the laws of
10	this State, is designated as a policymaking or advisory position the
11	performance of the duties of which ordinarily does not require more than eight
12	hours per week.
13	* * *
14	Sec. 2. EFFECTIVE DATE
15	This act shall take effect on passage.