

**§1251. Investigations; hearings; regulations**

**1. Seasonal industry.** As used in this section, the term "seasonal industry" means an industry in which, because of the seasonal nature thereof, it is customary to operate only during a regularly recurring period or periods of less than 26 weeks in a calendar year. The commission shall, after investigation and hearing, pursuant to Title 5, section 9051 et seq., determine, and may thereafter from time to time redetermine, the longest seasonal period or periods during which, by the best practice of the industry in question, operations are conducted. Until such determination by the commission, no industry may be deemed seasonal.

[PL 1983, c. 750, §1 (AMD).]

**2. Rules.** The commissioner shall prescribe fair and reasonable rules, pursuant to Title 5, section 8051 et seq., applicable to the payment of benefits to individuals whose qualifying wages in whole or in part were earned in seasonal industries, to the period during which benefits are payable to the individuals and to charges to be made to experience rating records or general funds as a result of benefits so paid.

[PL 2021, c. 456, §34 (AMD).]

**3. Exceptions.**

A. Any hotel, motel, inn, variety store, trading post, sporting camp or other lodging facility, including youth camps licensed under Title 22, section 2495, restaurants and other eating establishments, which customarily conducts operations that are primarily related to the production of characteristic goods or services for a regularly recurring period or periods of less than 26 weeks in any one calendar year is deemed seasonal. [PL 2009, c. 211, Pt. B, §25 (AMD).]

B. Any potato packing business which customarily operates during a regularly recurring period of 26 or more weeks in a calendar year shall not be deemed seasonal. [PL 1983, c. 750, §2 (AMD).]  
[PL 2009, c. 211, Pt. B, §25 (AMD).]

**SECTION HISTORY**

PL 1973, c. 516 (AMD). PL 1975, c. 407, §2 (AMD). PL 1977, c. 694, §§482,483 (AMD). PL 1983, c. 750, §§1,2 (AMD). PL 1987, c. 131 (AMD). PL 1997, c. 293, §9 (AMD). PL 2009, c. 211, Pt. B, §25 (AMD). PL 2021, c. 456, §34 (AMD).

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