

# MAINE STATE LEGISLATURE

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(EMERGENCY)  
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ONE HUNDRED AND EIGHTH LEGISLATURE

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Legislative Document

No. 1823

H. P. 1614

House of Representatives, May 27, 1977

Approved for introduction by a Majority of the Legislative Council Pursuant to Joint Rule 25. Read twice under suspension of rules and passed to be engrossed without reference to committee. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Bustin of Augusta.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-SEVEN

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**AN ACT to Amend the State "on" and "off" Indicators for Extended Benefits.**

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**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, many who are now unemployed have exhausted their unemployment benefits; and

Whereas, many who are now unemployed and receiving unemployment compensation will exhaust their benefits; and

Whereas, on August 10, 1970, the 91st Congress of the United States enacted Public Law 91-373, "Federal-State Extended Unemployment Compensation Act of 1970;" and

Whereas, this Public Law 91-373 contains provisions relating to the payment of extended unemployment benefits to individuals who are unemployed and who have exhausted their rights to unemployment benefits under the provisions in the state law or the laws of any other state or of the Federal Government; and

Whereas, this Public Law 91-373 provides that the State shall be reimbursed by the Secretary of Labor of the United States an amount equal to  $\frac{1}{2}$  of the sum of extended benefits paid to such individuals; and

Whereas, on March 24, 1971, the 105th Legislature enacted public law, chapter 119, to provide for extended unemployment benefits; and

Whereas, on October 20, 1976, the 94th Congress of the United States enacted Public Law 94-566, "Unemployment Compensation Amendments of 1976" to allow states with enabling legislation to disregard the 120% provision provided for state "on" and "off" indicators and to adopt the 5%, Insured Unemployment Rate, State Trigger Criterion; and

Whereas, it is anticipated that the National Insured Unemployment Rate will drop below 4.5% in June, 1977, which will trigger "off" extended benefits nationally and in Maine; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

26 MRSA § 1195, sub-§ 1, ¶ L, as last repealed and replaced by PL 1975, c. 299, § 2, is repealed and the following enacted in its place:

**L.** With respect to benefits for weeks of unemployment beginning after June 1, 1977, the determination of whether there has been a state "on" or "off" indicator beginning or ending any extended benefit period shall be made under this subsection as if paragraph I:

(1) Did not contain subparagraph (1) thereof; and

(2) The figure "4" contained in subparagraph (2) thereof were "5;"

except that, notwithstanding any such provision of this subsection, any week for which there would otherwise be a state "on" indicator shall continue to be such a week and shall not be determined to be a week for which there is a state "off" indicator.

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall become effective when approved and shall be retroactive to June 1, 1977.

#### STATEMENT OF FACT

The purpose of this bill is reflected in the emergency preamble.