

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Sixth Legislature
1ST SPECIAL SESSION
JANUARY 2, 1974 TO MARCH 29, 1974
AND BY THE
One Hundred and Seventh Legislature
REGULAR SESSION
JANUARY 1, 1975 TO JULY 2, 1975

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH THE REVISED STATUTES OF 1964, TITLE 3,
SECTION 164, SUBSECTION 6.

THE KNOWLTON AND MCLEARY COMPANY
FARMINGTON, MAINE
1975

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
One Hundred and Sixth Legislature

AT THE
SPECIAL SESSION

January 2, 1974

to

March 29, 1974

CHAPTER 752**AN ACT to Increase the Minimum Wage.**

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

Sec. 1. R. S., T. 26, § 664, amended. The first sentence as last repealed and replaced by section 171 of chapter 625 and the 2nd sentence as last amended by chapter 467, both of the public laws of 1973 of section 664 of Title 26 of the Revised Statutes, are amended to read as follows:

By reason of the declaration of policy set forth in section 661 and in the protection of the industry or business and in the enhancement of public interest, health, safety and welfare, it is declared unlawful for any employer to employ any employee, except as otherwise provided in this subchapter, at the rate of less than ~~\$1.90~~ \$2 per hour; nor work more than 40 hours in one week, unless 1½ times the regular hourly rate is paid for all work done over 40 hours in any one week; and whenever the highest federal minimum wage is increased in excess of ~~\$1.90~~ \$2 per hour, the minimum wage established under this section shall be increased to the same amount, effective ~~either~~ on the same date as the increase in the highest federal minimum wage ~~or September 23, 1971, whichever occurs later~~, but in no case shall the minimum wage exceed \$3 per hour. Except that on October 15, ~~1973~~ 1974 to October 15, ~~1974~~ 1975, those employees in a nursing home or employees in a hospital shall be paid at a rate of no less than ~~\$1.80~~ \$1.90 per hour and thereafter ~~\$1.90~~ \$2 per hour.

Sec. 2. Effective date. This Act shall become effective October 15, 1974.

Effective October 15, 1974

CHAPTER 753

AN ACT to Enable the Temporary Extension of Unemployment Compensation Benefits as Provided by Recent Federal Legislation as a Result of the Energy Crisis.

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

Whereas, shortages of petroleum products threaten severe economic dislocation, increases in unemployment and loss of income; and

Whereas, the number of unemployed in the State is increasing at a rapid rate in a limited labor market; 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, said 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, said 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 January 3, 1974, the 93rd Congress of the United States enacted an amendment to the "Federal-State Extended Unemployment Compensation Act of 1970" to allow states with enabling legislation to disregard the 120% provision for state "on" and "off" indicators in payment of extended benefits; and

Whereas, this is temporary legislation and applies to weeks beginning after December 31, 1973, and for weeks beginning before April 1, 1974; 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:

Sec. 1. R. S., T. 26, § 1195, sub-§ 1, ¶ G, amended. The first sentence of paragraph G of subsection 1 of section 1195 of Title 26 of the Revised Statutes, as enacted by chapter 119 of the public laws of 1971, is amended to read as follows:

"Rate of insured unemployment" for purposes of paragraphs 1, ~~and H and L~~ means the percentage derived by dividing the average weekly number of individuals filing claims in this State for weeks of unemployment with respect to the most recent 13-consecutive-week period, as determined by the commission on the basis of its reports to the United States Secretary of Labor, by the average monthly employment covered under this chapter for the first 4 of the most recent 6 completed calendar quarters ending before the end of such 13-week period.

Sec. 2. R. S., T. 26, § 1195, sub-§ 1, ¶ L, additional. Subsection 1 of section 1195 of Title 26 of the Revised Statutes, as enacted by chapter 119 of the public laws of 1971, is amended by adding a new paragraph L to read as follows:

L. Notwithstanding any other provisions of this chapter, and effective with respect to compensation for weeks of unemployment beginning before April 1, 1974, and beginning after December 31, 1973, except that extended benefits until December 31, 1974 as provided by this paragraph shall be paid for any week for which federal matching funds are available pursuant to Public Law 91-373, there is:

(1) State "off" indicator. There is a "state 'off' indicator" for this State for a week if the commission determines, in accordance with the regulations of the United States Secretary of Labor, that for the period consisting of such week and the immediately preceding 12 weeks, the rate of insured unemployment, not seasonally adjusted, under this chapter:

(a) Was less than 4%.

(2) State "on" indicator. There is a "state 'on' indicator" for this State for a week if the commission determines, in accordance with the regulations of the United States Secretary of Labor, that for the period consisting of such week and the immediately preceding 12 weeks, the rate of insured unemployment, not seasonally adjusted, under this chapter:

(a) Equaled or exceeded 4%.

(3) In no event shall extended benefits as provided by this paragraph be paid for any week for which no federal matching funds are available pursuant to public law 91-373.

Sec. 3. R. S., T. 26, § 1195, sub-§ 1, ¶ M, additional. Subsection 1 of section 1195 of Title 26 of the Revised Statutes, as enacted by chapter 119 of the public laws of 1971, is amended by adding a new paragraph M to read as follows:

M. Notwithstanding any other provisions of this chapter, extended benefits may be paid for any weeks of unemployment beginning February 3, 1974, provided such claims are filed on or before April 12, 1974.

Emergency clause. In view of the emergency cited in the preamble, this Act shall be retroactive on the date of the State's "on" indicator as provided under the Revised Statutes, Title 26, section 1195, subsection 1, paragraph L, subparagraph (2) and shall continue in effect until midnight March 31, 1974.

Effective March 25, 1974

CHAPTER 754

AN ACT Relating to Minimum Warranty Standard for Mobile Homes.

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

Sec. 1. R. S., T. 10, § 1404, amended. The first paragraph of section 1404 of Title 10 of the Revised Statutes, as enacted by chapter 435 of the public laws of 1973, is repealed and the following enacted in place thereof:

The manufacturer shall provide a written warranty with each new mobile home. The dealer shall countersign the warranty and certify that: To the best of his knowledge, the home is free from any substantial defects in materials and workmanship. The dealer shall deliver the written warranty to the buyer at the time of sale and the warranty shall contain the following terms: