

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

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

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Kennebec Journal  
Augusta, Maine  
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## CHAPTER 496

H. P. 819 — L. D. 1027

### AN ACT Relating to Unemployment Compensation Benefits for Persons Collecting Workers' Compensation.

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

Sec. 1. 26 MRSA § 1192, sub-§ 5, as last amended by PL 1975, c. 568, § 3, is further amended by adding a new sentence at the end to read:

In determining a claimant's qualification under this subsection, payments pursuant to Title 39, sections 54 and 55, the Workers' Compensation Act, and Title 39, sections 188 and 189, the Occupational Disease Law, shall be considered wages for insured work.

Sec. 2. 39 MRSA § 62-A is enacted to read:

#### § 62-A. Reduction of benefits due to unemployment compensation

1. Reduction for unemployment benefits. Compensation paid under this Act, except for lump sum payments under sections 56 and 56-A and lump sum settlements, to any employee for any period with respect to which he is receiving or has received benefits under the employment security law, shall be reduced by the amount of the unemployment benefits.

2. Notification. Before approving or awarding any compensation as limited in subsection 1, the commission shall request that the Department of Manpower Affairs:

- A. Inform the commission as to whether the claimant is receiving unemployment benefits;
- B. Notify the commission in the event that the claimant subsequently applies for and receives unemployment benefits; and
- C. Notify the commission whenever the claimant ceases to receive unemployment benefits.

Whenever the Department of Manpower Affairs so notifies the commission, the commission shall notify the employer and employee, advise them of both the requirements of this section and the difference the employer shall make in the employee's compensation. Upon receipt of this information, the employer shall appropriately decrease the compensation or, if the claimant has ceased to receive unemployment benefits, appropriately increase the compensation.

Effective September 14, 1979