

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1066

H. P. 873

House of Representatives, March 16, 1977

On Motion of Mr. Bustin of Augusta referred to the Committee on Labor.
Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. MacEachern of Lincoln.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

**AN ACT to Improve the Seasonality Provision of the Employment
Security Law.**

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

26 MRSA § 1251, sub-§§ 1 and 2 are repealed and the following enacted in their place:

1. **Seasonal industry.** As used in this section, the term "seasonal industry" means any industry where a worker has total wages paid for insured work in only 3 consecutive calendar quarters in his base period, and where the wages in whole were paid by one employer. These 3 consecutive quarters shall be called the seasonal period for the purposes of this section.

2. **Payment of benefits to workers in seasonal industries.** Benefits shall be computed according to section 1191, subsection 4, except that those persons having qualifying wages earned in whole in a seasonal industry, as defined in subsection 1, shall be subject to adjustments in their weekly benefit amount for total unemployment during those spells of unemployment that fall in those weeks that are not in the seasonal period as defined in subsection 1. The weekly benefit amount for those with no dependents shall be adjusted according to the Schedule of Adjustments to the Weekly Benefit Amount, hereinafter referred to in this section as the schedule, as provided in this subsection. The wages of those persons with dependents shall be reduced by \$1,000 for each dependent, as defined in section 1191, subsection 6, claimed by this person. The resulting balance in wages for those with dependents shall be applied to the wages column of the schedule for the purpose of determining the percent reduction in the weekly benefit amount. The schedule shall be com-

puted to coincide with the dates in section 1911, subsection 2, and shall be effective as of June 1, 1977. The computation shall be based on the most recent published annual costs of an intermediate budget for a 4-Person Family in Portland, Maine, released by the U.S. Bureau of Labor Statistics. The total budget column of the annual costs of an intermediate budget shall be reduced by 30%, rounded to the nearest \$100, and the resulting balance shall be used to establish the lower level of the first interval in the Schedule of Adjustments to the Weekly Benefit Amount. There shall be 7 intervals in the schedule, each with a range of \$1,000, between the lower and upper level.

**Schedule Adjustment to the Weekly
Benefit Amount**

Equal to or more than	Wages	Less than	Percent reduction in the weekly benefit amount
\$11,000		\$12,000	.15%
12,000		13,000	.30
13,000		14,000	.45
14,000		15,000	.60
15,000		16,000	.75
16,000		17,000	.90
17,000		and up	no benefits payable

STATEMENT OF FACT

The purpose of this bill is to protect the Unemployment Compensation Trust Fund from those who abuse it by working up to 9 months at an over average rate of pay, then collect unemployment for the remainder of the year.