

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-599)
109TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 819, L.D. 1027, Bill,
"AN ACT Relating to Unemployment Compensation Benefits for
Persons Collecting Workers' Compensation."

Amend the Bill by striking out everything after the
enacting clause and inserting in its place the following:

'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 Occupa-
tional 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 benefit 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.'

Statement of Fact

The purposes of this amendment are to:

1. Allow a worker to count workers' compensation toward the earnings necessary to qualify for unemployment compensation benefits; and
2. Require that if a person is receiving workers' compensation and unemployment benefits at the same time, then the unemployment benefits would be deducted from the workers' compensation benefits.