

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE  
4

5 Legislative Document

No. 706

6  
7 H.P. 555 House of Representatives, February 10, 1983

8 On Motion of Representative Brannigan of Portland referred to the  
9 Committee on Labor. Sent up for concurrence and ordered printed.

10 EDWIN H. PERT, Clerk

11 Presented by Representative Brodeur of Auburn.

12 STATE OF MAINE  
13

14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-THREE  
16

17 AN ACT to Provide Equitable Treatment in  
18 the Determination of Maximum Unemployment  
19 Compensation Benefits.  
20

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

23 Sec. 1. 26 MRS §1191, sub-§2, as amended by PL  
24 1981, c. 342, §1, is further amended to read:

25 2. Weekly benefit amount for total unemployment.  
26 Each eligible individual establishing a benefit year  
27 on and after January 1, 1972, who is totally unem-  
28 ployed in any week shall be paid with respect to such  
29 week, benefits equal to 1/22 of the wages, rounded to  
30 the nearest dollar, paid to him in the high quarter  
31 of his base period, but not less than \$12. The maxi-  
32 mum weekly benefit amount for claimants requesting  
33 insured status determination from June 1st of a cal-  
34 endar year to May 31st of the next calendar year  
35 shall not exceed 52% of the annual average weekly

1 wage, rounded to the nearest dollar, paid in the cal-  
2 endar year preceding June 1st of such calendar year.  
3 If the maximum weekly benefit amount is adjusted  
4 upward on June 1st of a calendar year to reflect a  
5 higher annual average weekly wage during the pre-  
6 ceding year, then the increased maximum weekly bene-  
7 fit amount shall be applicable to any person receiv-  
8 ing benefits as of July 1st of that year, regardless  
9 of when that person initially requested insured  
10 status determination.

11 The amount of benefits payable to an eligible indi-  
12 vidual with respect to any week of total unemployment  
13 shall be reduced by the amount of any holiday pay  
14 which the individual has received or is entitled to  
15 receive for that week.

16 Sec. 2. 26 MRSA §1191, sub-§4, as amended by PL  
17 1975, c. 568, §1, is further amended to read:

18 4. Maximum amount of benefits. The maximum  
19 amount of benefits which shall be paid to any eligi-  
20 ble individual with respect to any benefit year,  
21 whether for total or partial unemployment, shall not  
22 exceed the lesser of 26 times his average weekly ben-  
23 efit amount or 33 1/3%, rounded to the nearest  
24 dollar, of his total wages paid for insured work  
25 during his base period, plus the supplemental weekly  
26 benefit for dependents payable under subsection 6.

#### 27 STATEMENT OF FACT

28 At present, a claimant's maximum weekly unemploy-  
29 ment benefit is fixed at 52% of the annual average  
30 weekly wage paid in the year preceding the period  
31 running from June 1st to May 31st in which he filed  
32 his claim. If the claimant is still receiving bene-  
33 fits when the maximum is adjusted the following June  
34 1st, and the maximum is increased because the average  
35 annual weekly wage has increased, his maximum benefit  
36 stays at the old amount while people who file a claim  
37 after June 1st receive benefits at the new maximum  
38 amount. This bill changes the present law to allow  
39 such a claimant to receive the increased maximum ben-  
40 efit.

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