

# MAINE STATE LEGISLATURE

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1 (EMERGENCY)  
2 (After Deadline)  
3 SECOND REGULAR SESSION  
4

5 ONE HUNDRED AND TWELFTH LEGISLATURE  
6

7 Legislative Document

No. 2017

8  
9 H.P. 1427

House of Representatives, February 13, 1986

10 Approved for introduction by a majority of the Legislative Council  
11 pursuant to Joint Rule 27.

Reference to the Committee on Labor suggested and ordered printed.

12 EDWIN H. PERT, Clerk

Presented by Speaker Martin of Eagle Lake.

Cosponsored by Representative Tamaro of Baileyville, President Pray  
of Penobscot and Senator Dutremble of York.

13  
14 STATE OF MAINE  
15

16 IN THE YEAR OF OUR LORD  
17 NINETEEN HUNDRED AND EIGHTY-SIX  
18

19 AN ACT to Improve Retraining Opportunities  
20 for Dislocated Workers.  
21

22 Emergency preamble. Whereas, Acts of the Legis-  
23 lature do not become effective until 90 days after  
24 adjournment unless enacted as emergencies; and

25 Whereas, the State has suffered severe job losses  
26 because of major industrial and structural changes in  
27 our economy; and

28 Whereas, the loss of these jobs causes great  
29 hardship to the former workers and their families and  
30 increases the burden on the public in general; and

31 Whereas, there is an urgent need to enable these  
32 workers to participate in retraining programs by pro-  
33 viding them with financial support during their peri-  
34 od of retraining; and

1           Whereas, many workers presently in retraining  
2 programs feel they must drop out because they have  
3 lost the means to support themselves and their fami-  
4 lies while in training, as a result of Congress'  
5 failure to reauthorize trade readjustment assistance  
6 allowances; and

7           Whereas, in the judgment of the Legislature,  
8 these facts create an emergency within the meaning of  
9 the Constitution of Maine and require the following  
10 legislation as immediately necessary for the preser-  
11 vation of the public peace, health and safety; now,  
12 therefore,

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

15           Sec. 1. 26 MRSA §1043, sub-§5, as amended by PL  
16 1973, c. 555, §5, is further amended to read:

17           5. Benefit year. "Benefit year" means the one-  
18 year period beginning with the date with respect to  
19 which an insured worker files a request for determi-  
20 nation of his insured status, and thereafter the one-  
21 year period beginning with the date with respect to  
22 which he next files such a request after the end of  
23 his last preceding benefit year. If an insured worker  
24 files a request for determination of his insured sta-  
25 tus during a week in which one calendar quarter ends  
26 and another begins, the benefit year for applicable  
27 base period identity purposes shall be deemed to be-  
28 gin on the first day of the new calendar quarter.

29           A. "Annual average weekly wage," as used to es-  
30 tablish the maximum weekly benefit amount for  
31 purposes of this chapter, shall be 1/52 of aggre-  
32 gate total wages paid in Maine covered employ-  
33 ment, as reported on employer contribution re-  
34 ports for the calendar year, divided by the  
35 arithmetic mean of mid-month weekly covered em-  
36 ployment reported on employer contribution re-  
37 ports for the calendar year.

38           In the case of a combined-wage claim pursuant to the  
39 arrangement approved by the secretary in accordance  
40 with section 1082, subsection 12, the benefit year

1 shall be that applicable under the unemployment com-  
2 pensation law of the paying state.

3 Persons enrolled in a training program approved under  
4 section 1192, subsection 6, 6-A or 6-B, who have ex-  
5 hausted their benefit year after December 31, 1983,  
6 shall have their expired benefit year reopened and  
7 continued by one week for each week or part of a week  
8 that they are in such training up to a maximum of 26  
9 weeks; provided, however, that no benefits may be  
10 paid under this subsection for any week in which the  
11 person is eligible for and receiving unemployment in-  
12 surance benefits in a subsequent benefit year for  
13 which he has qualified, trade adjustment allowances  
14 as provided by the United States Trade Act of 1974,  
15 Title II, Chapter 2, Public Law 93-617, Title 19,  
16 United States Code, Section 2291, et seq., and any  
17 amendments or additions thereto, or any extended un-  
18 employment insurance benefit program funded in whole  
19 or in part by the Federal Government.

20 Sec. 2. 26 MRSA §1191, sub-§4, ¶A is enacted to  
21 read:

22 A. If an individual who is in training approved  
23 under section 1192, subsection 6, 6-A or 6-B  
24 qualifies for an extended benefit year under the  
25 final paragraph of section 1043, subsection 5 or  
26 exhausts the maximum amount of benefits available  
27 to him under this subsection, the maximum amount  
28 under this subsection shall be increased by the  
29 product of his weekly benefit amount multiplied  
30 by the number of weeks in which he thereafter at-  
31 tends an approved training program. No increase  
32 may be made under this paragraph, with respect to  
33 any benefit year, greater than 26 times the  
34 individual's weekly benefit amount.

35 (1) Benefits paid to an individual under  
36 this paragraph shall not be charged against  
37 the experience rating record of any employ-  
38 er, but shall be charged to the general  
39 fund.

40 (2) No benefits may be paid under this par-  
41 agraph to an individual until he has ex-  
42 hausted any trade adjustment allowances as

