

MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 2163

H.P. 1585 House of Representatives, February 1, 1988
Submitted by the Department of Labor pursuant to Joint
Rule 24.

Reference to the Committee on Economic Development
suggested and ordered printed.

EDWIN H. PERT, Clerk
Presented by SPEAKER Martin of Eagle Lake.

Cosponsored by President PRAY of Penobscot, Senator
COLLINS of Aroostook and Representative WILLEY of Hampden.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-EIGHT

1 **AN ACT to Improve Retraining**
2 **Opportunities for Dislocated Workers.**
3

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

6 Sec. 1. 26 MRSA §1043, sub-§5, ¶B, as amended
7 by PL 1987, c. 402, Pt. A, §157, is further amended to
8 read:

9 B. A dislocated worker, as defined in section
10 1196, subsection 1, enrolled in a training program

1 approved under section 1192, subsection 6, 6-A or
2 6-B, who has exhausted his benefit year within 30
3 months of his enrollment in the training
4 program, shall have his expired benefit year
5 reopened and continued by one week for each week
6 or part of a week that he is in such training,
7 shall be entitled to the product of his most
8 recent weekly benefit amount multiplied by the
9 number of weeks in which he thereafter actively
10 attends and makes satisfactory progress in an
11 approved training program, up to a maximum of 26
12 weeks, provided that no benefits may be paid under
13 this paragraph to any person:

14 (1) Until the person has exhausted any
15 unemployment insurance benefits for which he
16 is eligible in a subsequent benefit year for
17 which he has qualified;

18 (1-A) Until the person has exhausted
19 benefits for which that person is eligible
20 under any unemployment insurance benefit
21 program funded in whole or in part by the
22 State Government or Federal Government;

23 (2) Until the person has exhausted
24 benefits for which he is eligible under any
25 extended unemployment insurance benefit
26 program funded in whole or in part by the
27 Federal Government;

28 (3) Who is eligible for or who has
29 exhausted, after the effective date of this
30 paragraph, trade adjustment allowances as
31 provided by the United States Trade Act of
32 1974, Title II, Chapter 2, Public Law 93-617,
33 United States Code, Title 19, Section 2291,
34 et seq., and any amendments or additions
35 thereto, or a similar successor provision of
36 that Act, except that any individual who was
37 eligible for and received less than 26 weeks
38 of benefits under the United States Trade Act
39 may receive benefits for the number of weeks
40 by which their benefits under that Act are
41 less than 26 weeks; or

1 (4) For a subsequent enrollment in any
2 training program after his initial
3 enrollment, following the effective date of
4 this paragraph, and final termination of a
5 training program approved under section 1192,
6 subsection 6, 6-A or 6-B.

7 Sec. 2. 26 MRSA §1191, sub-§4, ¶A, as repealed
8 and replaced by PL 1985, c. 814, Pt. J, §2, is amended
9 to read:

10 A. If a dislocated worker, as defined in section
11 1196, subsection 1, who is actively attending and
12 making satisfactory progress in training approved
13 under section 1192, subsection 6, 6-A or 6-B,
14 qualifies for an extended benefit year
15 additional benefits under section 1043, subsection
16 5, paragraph B, or exhausts the maximum amount
17 of his entitlement to benefits available to him
18 under this subsection, the maximum amount under
19 this subsection shall be increased by the
20 product of his most recent weekly benefit amount
21 multiplied by the number of weeks in which he
22 thereafter actively attends and makes satisfactory
23 progress in an approved training program. No
24 increase may be made under this paragraph, with
25 respect to any benefit year period, greater
26 than 26 times the individual's weekly benefit
27 amount.

28 (1) Benefits paid to an individual under
29 this paragraph shall not be charged against
30 the experience rating record of any employer,
31 but shall be charged to the General Fund.

32 (2) No benefits may be paid under this
33 paragraph to any person:

34 (a) ~~Until the person has exhausted~~
35 ~~any unemployment insurance benefits for~~
36 ~~which he is eligible in a subsequent~~
37 ~~benefit-year-for-which-he-has-qualified;~~

38 (b) Until the person has exhausted
39 benefits for which he is eligible under

1 any extended unemployment insurance
2 benefit program funded in whole or in
3 part by the State Government or Federal
4 Government;

5 (c) Who is eligible for or who has
6 exhausted, after the effective date of
7 this paragraph, trade adjustment
8 allowances as provided by the United
9 States Trade Act of 1974, Title II,
10 Chapter 2, Public Law 93-617, United
11 States Code, Title 19, Section 2291, et
12 seq., and any amendments or additions
13 thereto, or a similar successor
14 provision of that Act, except that any
15 individual who was eligible for and
16 received less than 26 weeks of benefits
17 under the United States Trade Act may
18 receive benefits for the number of weeks
19 by which their benefits under that Act
20 are less than 26 weeks; or

21 (d) For a subsequent enrollment in any
22 training program after his initial
23 enrollment, following the effective date
24 of this paragraph, and final termination
25 of a training program approved under
26 section 1192, subsection 6, 6-A or 6-B.

27 **Sec. 3. 26 MRSA §1192, sub-§6-C is enacted to**
28 **read:**

29 6-C. Prohibition against disqualification of
30 individuals in approved training under section 1196.
31 Notwithstanding any other provision of this chapter,
32 no otherwise eligible individual may be denied
33 benefits for any week because that individual is in
34 training as approved by the commission, under rules
35 adopted by the commission with the advice and consent
36 of the commissioner, nor may that individual be denied
37 benefits by reason of leaving work to enter that
38 training, provided that the work left is not suitable
39 employment.

40 For purposes of this subsection, the term "suitable

