

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

1 State; and

2 Whereas, it is established by law that
3 unemployment is a subject of general interest and
4 concern which requires appropriate action by the
5 Legislature to lighten its burden on the unemployed
6 worker, the worker's family and the entire community;
7 and

8 Whereas, there are severe pockets of unemployment
9 throughout the State created by plant closings and
10 prolonged labor disputes; and

11 Whereas, those circumstances often create
12 generally depressed economic conditions in the
13 affected region; and

14 Whereas, as a result, individuals in these areas
15 often suffer prolonged periods of unemployment,
16 exhausting their eligibility for regular unemployment
17 insurance benefits; and

18 Whereas, this situation creates tremendous
19 hardship for both the individuals involved and their
20 communities; and

21 Whereas, in the judgment of the Legislature, these
22 facts create an emergency within the meaning of the
23 Constitution of Maine and require the following
24 legislation as immediately necessary for the
25 preservation of the public peace, health and safety;
26 now, therefore,

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

29 Sec. 1. 26 MRSA §1195-A is enacted to read:

30 §1195-A. Additional unemployment compensation benefits

31 1. Additional benefits; when available.
32 Additional unemployment benefits are authorized under
33 this section only when:

34 A. An employer has reduced operations at a

1 facility or part of a facility, which employs or
2 has employed at any time in the preceding 12-month
3 period 100 or more persons, resulting in the
4 reduction of at least 50% of the employer's work
5 force and the layoff of at least 50 employees at
6 that facility and the employer does not intend to
7 resume operations which would lead to the
8 reemployment of those individuals within the next
9 6 months; or

10 B. An individual is unemployed due to a labor
11 dispute and is not otherwise disqualified under
12 section 1193, subsection 4.

13 2. Eligibility conditions. An individual is
14 eligible to receive additional benefits under this
15 section for any week during that individual's benefit
16 year only if:

17 A. The individual's unemployment is a result of
18 one of the factors for which payment is authorized
19 under subsection 1;

20 B. The individual is unemployed and meets the
21 eligibility requirements for the receipt of
22 unemployment benefits under section 1192;

23 C. The individual is not subject to a
24 disqualification for benefits under section 1193.
25 For the purpose of this subsection, the
26 disqualifying conditions and requalifying
27 requirements under section 1193 shall apply to the
28 receipt of additional benefits under this section;

29 D. The individual has exhausted all rights to
30 regular benefits payable under section 1191, is
31 not entitled to receive extended benefits under
32 section 1195, is not entitled to receive
33 unemployment compensation benefits under any other
34 state or federal law and is not entitled to trade
35 readjustment allowances as provided under the
36 United States Trade Act of 1974, Title II, Chapter
37 2, Public Law 93-618, for the week in which the
38 individual is claiming additional benefits; and

1 E. The individual has made a claim for additional
2 benefits with respect to the week in which the
3 individual is claiming benefits in accordance with
4 rules the commission may promulgate with respect
5 to claims for regular benefits.

6 3. Weekly benefit amount. A claimant's weekly
7 benefit amount shall be the same as the claimant's
8 weekly benefit amount payable during the claimant's
9 current benefit year as determined by section 1191.

10 4. Maximum benefits payable. A claimant's
11 maximum amount of additional benefits payable in the
12 claimant's benefit year shall be 26 times the
13 claimant's weekly benefit amount. Trade readjustment
14 allowances paid under the United States Trade Act of
15 1974, Title II, Chapter 2, Public Law 93-618, and
16 unemployment compensation benefits paid under any
17 state or federal law to the individual after
18 exhaustion of the individual's regular benefits shall
19 be deducted from that individual's maximum amount of
20 additional benefits.

21 5. Transitional provision. Until January 1,
22 1989, the maximum amount of additional benefits
23 provided under subsection 4 is payable to any claimant
24 who meets the eligibility requirements of this section
25 whose unemployment occurred on or after January 1,
26 1987, even if that individual's benefit year has
27 expired and the individual is otherwise ineligible to
28 establish a new one.

29 Sec. 2. 26 MRSA §1221, sub-§3, ¶A-3 is enacted
30 to read:

31 A-3. No charge may be made to an individual
32 employer for additional unemployment compensation
33 benefits paid in accordance with section 1195-A.
34 Charges for these benefits shall be made to the
35 General Fund.

36 Emergency clause. In view of the emergency
37 cited in the preamble, this Act shall take effect when
38 approved.

1 STATEMENT OF FACT

2 Despite the fact that certain parts of the State
3 appear to be enjoying a period of economic prosperity,
4 there are many others that are not. In certain parts
5 of Aroostook, Washington, Waldo, Oxford, Franklin and
6 other counties, pockets of unemployment exist that are
7 as severe as in any recessionary period in recent
8 times. These pockets are created by plant closings or
9 extended labor disputes where large numbers of
10 individuals become unemployed in an area with little
11 opportunity for reemployment. The affected workers in
12 these situations often exhaust their unemployment
13 benefits before they are reemployed. In many cases
14 their only family income has been their unemployment
15 check and they must resort to applying for municipal
16 general assistance funded from the local property tax
17 and other forms of public assistance.

18 This bill provides 26 weeks of additional
19 unemployment compensation benefits to individuals
20 whose unemployment resulted from a plant closing or
21 prolonged labor dispute and who have exhausted their
22 regular unemployment benefits and are not eligible for
23 any other form of continuing unemployment assistance.

24

4667020388