

# MAINE STATE LEGISLATURE

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L.D. 914  
(Filing No. S-194)

STATE OF MAINE  
SENATE  
114TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 344, L.D. 914, Bill, "An Act to Increase the Family Allowance under the Unemployment Compensation Law"

Amend the bill by striking out everything after the title and before the statement of fact and inserting in its place the following:

**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** the family allowance under the Unemployment Compensation Act has not been increased since its enactment in 1976; and

**Whereas,** an increase in this amount is urgently needed to assist unemployed persons in meeting the expense of providing food and shelter for their dependents; and

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

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

**Sec. 1. 26 MRSA §1191, sub-§6,** as amended by PL 1983, c. 13, §5, is further amended to read:

**6. Supplemental benefit for dependents.** An individual in total or partial unemployment and otherwise eligible for benefits shall be paid for each week of that unemployment, in addition to the amounts payable under subsections 2 and 3, the sum of \$5 ~~10~~ for each unemancipated child of the individual who in any part of the benefit year and during any part of the individual's period of eligibility is, in fact, dependent upon and is being wholly or mainly supported by the individual, and who is under the age of

1 18, or who is 18 years of age or over and incapable of earning  
2 wages because of mental or physical incapacity, or who is a  
3 full-time student as defined in Title 39, section 2, subsection  
4 4, paragraph C, or who is in his that individual's custody  
5 pending the adjudication of a petition filed by the individual  
6 for the adoption of the child in a court of competent  
7 jurisdiction and for each such child for whom he that individual  
8 is under a decree or order from a court of competent jurisdiction  
9 to contribute to that child's support and for whom no other  
10 person is receiving allowances hereunder. In no instance may the  
11 dependency benefits as provided in this subsection be more than  
12 50% of the individual's weekly benefit amount.

13  
14 The commission shall prescribe regulations as to who may receive  
15 a dependency allowance when both ~~the husband and wife~~ spouses are  
16 eligible to receive unemployment compensation benefits.

17  
18 No individual may be eligible to receive dependency allowances as  
19 provided in this subsection for any week during which his that  
20 individual's spouse is employed full time provided that the  
21 spouse is contributing some support to their dependent or  
22 dependents. For purposes of this subsection, "employed full time"  
23 means the receipt of any wages, earnings, salary or other income  
24 equivalent to that amount which would be received for a 40-hour  
25 work week.

26  
27 **Sec. 2. 26 MRSA §1221, sub-§3, ¶A-1, as amended by PL 1977, c.**  
28 **564, §99-A, is repealed.**

29  
30 **Emergency clause.** In view of the emergency cited in the  
31 preamble, this Act shall take effect on July 2, 1989.

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33 **FISCAL NOTE**

34  
35 This legislation will increase benefit payments from the  
36 Unemployment Compensation Trust Fund. Based on 1988 experience,  
37 the estimated annual increase in benefit payments will be  
38 \$1,366,000.'

39  
40  
41 **STATEMENT OF FACT**

42  
43 This amendment completely replaces the original bill and  
44 increases the family allowance under the Unemployment  
45 Compensation Act from \$5 a week to \$10 a week for each eligible  
46 dependent child, effective July 2, 1989.

47  
48 The amendment provides that family dependency allowances  
49 will be charged against an employer's experience rating record.  
50 This requires employers whose former employees are drawing family  
51 dependency allowances under the amendment to pay a greater share

COMMITTEE AMENDMENT "A " to S.P. 344, L.D. 914

1 of these benefits back into the Unemployment Compensation Trust  
Fund through an increase in their experience rating.

3

5 Finally, the amendment repeals a provision that provides  
that benefits paid to an unemployed person who has left work to  
7 accompany their spouse to a new residence are not chargeable  
against the employer's experience rating record. Despite the  
repeal of the provision, these benefits are still not charged  
9 against an employer's experience rating record since they remain  
subject to the Maine Revised Statutes, Title 26, section 1221,  
11 subsection 3, paragraph A, subparagraph (1).

Reported by Senator Esty for the Committee on Labor.  
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(5/31/89) (Filing No. S-194)