

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)



114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1700

S.P. 606

In Senate, May 24, 1989

Reference to the Committee on Labor suggested and ordered printed.

A handwritten signature in cursive script, reading 'Joy J. O'Brien'.

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator COLLINS of Aroostook.

Cosponsored by Senator DUTREMBLE of York, Representative TAMMARO of Baileyville and Representative REED of Falmouth.

STATE OF MAINE

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

An Act to Continue the Strategic Training for Accelerated Reemployment Program.

(EMERGENCY)



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

5 Whereas, unemployed and dislocated workers are eligible for
the Strategic Training for Accelerated Reemployment (STAR)
7 program and are in need of its services; and

9 Whereas, STAR participants currently being served need to
have these services continued; and

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

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

19 **Sec. 1. 26 MRSA §2015-A, sub-§4, ¶¶A and C, as enacted by PL**
21 **1987, c. 775, §3, are amended to read:**

23 A. During the first year of the STAR program, up to 14% of
the funds may be used for grant administration. In the 2nd
25 and subsequent years of the STAR program, up to ~~10%~~ 12% of
the funds may be used for grant administration.

27 C. Each county shall receive an annual allocation, 50% of
29 which shall be based on the number of individuals unemployed
during the calendar year preceding the program year and 50%
31 of which shall be based on the unemployment rate during the
calendar year preceding the program year. These allocations
33 may be shifted between counties within a service delivery
area depending on the demand for STAR services and the
35 availability of unexpended funds.

37 **Sec. 2. 26 MRSA §2015-A, sub-§5, ¶A, as amended by PL 1987, c.**
861, **§22, is further amended to read:**

39 A. Be an unemployed and resident of Maine receiving
41 unemployment compensation benefits ~~at the time of~~
~~application~~ administered by the Bureau of Employment
43 Security or the federal Railroad Retirement Board and have
registered for the STAR program prior to the end of the 8th
45 6th week of collecting unemployment compensation benefits,
which means the week ending date of the 6th week after the
47 most recent total separation for which the claimant was
issued a benefit check, offset credit or waiting period
49 credit under any state or federal unemployment program
administered by the Department of Labor. ~~except that an~~ An
51 individual may register after that time, if that individual
reasonably expected to return to that person's prior

1 employment or occupation or for other good cause as
3 determined by rules adopted by the commissioner, pursuant to
the Maine Administrative Procedure Act, Title 5, chapter 375;

5 **Sec. 3. 26 MRSA §2015-A, sub-§5, ¶C**, as enacted by PL 1987, c.
775, §3, is repealed.

7
9 **Sec. 4. 26 MRSA §2015-A, sub-§6, ¶A**, as enacted by PL 1987, c.
775, §3, is amended to read:

11 A. Claimants shall receive both written and oral notice of
13 the STAR program when they apply for unemployment
compensation benefits administered by the Bureau of
15 Employment Security. The notice shall explain the program's
eligibility requirements, the importance of entering
17 training early in a claimant's term of unemployment, the
availability of unemployment compensation benefits to
19 claimants in approved training and the availability of
extended benefits for dislocated workers in approved
21 training for up to 26 weeks. A claimant's inability to
understand the written notice due to illiteracy or other
23 factors constitutes good cause under subsection 5, paragraph
A, for purposes of determining eligibility for the STAR
25 program. Interested individuals shall be referred to the
Maine Job Service for a determination of eligibility and
referral to testing and counseling centers.

27 **Sec. 5. 26 MRSA §2015-A, sub-§6, ¶A-1** is enacted to read:
29

31 A-1. Paragraph A does not apply to individuals who are
receiving unemployment benefits administered by the federal
33 Railroad Retirement Board, pursuant to the Railroad
Unemployment Insurance Act, Public Law 1938, No. 722, United
35 States Code, Title 45, Section 351, et seq. as amended. The
Department of Labor will provide notice of the STAR program
to the federal Railroad Retirement Board.

37 **Sec. 6. 26 MRSA §2015-A, sub-§6, ¶A-2** is enacted to read:
39

41 A-2. An individual who is determined eligible for the STAR
program must apply at the federal Job Training Partnership
43 Act local service provider for an individual employment plan
within 30 days of the date that the eligibility
45 determination was made. An individual must be collecting
unemployment benefits or have received a notice of pending
47 displacement under subsection 5, paragraph B, in order to
apply for an individual employment plan under the STAR
49 program. If no STAR funds are available at the time that an
individual applies for an individual employment plan,
51 written notice must be provided to that individual when
money again becomes available, at which time the individual,
if still collecting unemployment insurance benefits, may

1 again apply for an individual employment plan within 15 days
2 of the date of the written notice.

3
4 **Sec. 7. 26 MRSA §2015-A, sub-§6, ¶¶C and D, as enacted by PL**
5 **1987, c. 775, §3, are amended to read:**

7 C. At the end of the assessment process, an individual
8 employment plan shall may be developed for each participant
9 based on the results of the assessment, the participant's
10 occupational preference and the occupational opportunities
11 available as determined under subsection 9, including
12 opportunities in nontraditional occupations. Participants
13 may choose among training opportunities provided under
14 subsection 7, provided that choice is appropriate for the
15 occupation identified in their ~~employability--development~~
16 individual employment plan. The plan shall identify the
17 occupation selected and what additional training and
18 education is necessary. If the occupation is one for which
19 an apprenticeship program may be available, the State
20 Apprenticeship and Training Council shall be notified, and
21 shall determine what additional training or education may be
22 necessary for indenturing in an apprentice program.
23 Eligible individuals who face barriers to employment which
24 could prevent the successful completion of training may be
25 denied training services by the federal Job Training
26 Partnership Act local service provider.

27
28 D. A STAR participant, who has been assessed and has
29 received an individual employment plan, may be provided with
30 ~~a training voucher of up to \$3,000 under subsection 8.--This~~
31 ~~voucher will~~ to enable STAR participants to enter into
32 training for occupations approved under subsection 9,
33 paragraph A, to be conducted by approved training agents
34 ~~certified~~ pursuant to subsection 9, paragraph D. ~~The STAR~~
35 ~~voucher is valid for 12 weeks for STAR participants to enter~~
36 ~~training initially~~ Training will be provided according to
37 the time periods, terms and conditions set forth and agreed
38 upon in the individual employment plan, unless an extension
39 for cause is approved by the United--States Job Training
40 Partnership Act local service provider.

41 **Sec. 8 26 MRSA §2015-A, sub-§7, ¶D, as enacted by PL 1987, c.**
42 **775, §3, is amended to read:**

45 D. Employment competency training in preemployment skills.
46 This component consists of structured activities designed to
47 assess basic employment competency and to provide remedial
48 training in such areas as job-seeking skills, interviewing
49 and resume writing. ~~Employment competency training may only~~
50 ~~be used if it leads to vocational skills training;~~

1 **Sec. 9. 26 MRSA §2015-A, sub-§8, ¶A**, as enacted by PL 1987, c.
775, §3, is amended to read:

3
5 A. ~~A training voucher of up~~ Up to \$3,000 for the following
activities:

7 (1) Tuition for education and training;

9 (2) Training materials or books necessary for
participation in the training;

11 (3) Payment for dependent care costs, provided those
13 costs do not exceed the prevailing regional rate for
such care; and

15 (4) Travel payments according to the policies
17 established by the United States Job Training
Partnership Act service providers;

19 **Sec. 10. 26 MRSA §2015-A, sub-§9, ¶¶B and D**, as enacted by PL
21 1987, c. 775, §3, are amended to read:

23 B. Review at their option the curricula for classroom and
25 customized vocational training in their areas for
consistency with employers' needs;

27 D. ~~Annually certify the demonstrated effectiveness~~ Assure
29 the utilization of training agents who have demonstrated
effectiveness in delivering training in their areas
31 according to the performance standards established in this
section. ~~At the completion of training, these agents shall~~
33 ~~provide placement services to the STAR participants and~~
~~shall report to the panel on placement status and the~~
competency attained.

35 **Sec. 11. 26 MRSA §2015-A, sub-§10**, as amended by PL 1987, c.
37 861, §23, is repealed and the following enacted in its place:

39 10. Grievance procedure. All determinations under this
41 section shall be made promptly in writing. A claimant who is
aggrieved by any decision or action made under this section may
43 appeal through the grievance procedure under the Job Training
Partnership Act, as contained in chapter 10 of the rules of the
45 Maine Department of Labor, Office of the Commissioner.

47 **Sec. 12. 26 MRSA §2015-A, sub-§12**, as enacted by PL 1987, c.
775, §3, is repealed and the following enacted in its place:

49 12. Carrying clause. Any available balance at the end of a
51 fiscal year in the STAR program shall not lapse but shall carry
forward to the next fiscal year.

