

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

SECOND REGULAR SESSION-1992

Legislative Document

No. 2098

H.P. 1486

House of Representatives, January 7, 1992

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.
Reference to the Committee on Labor suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative RAND of Portland.
Cosponsored by Representative McHENRY of Madawaska.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-TWO

An Act to Reform Unemployment Compensation Guidelines in Maine.



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

26 MRSA §1043, sub-§3, as amended by PL 1973, c. 555, §4, is repealed and the following enacted in its place:

3. Base period. In determining base period for eligibility of unemployment compensation benefits, the following is considered.

A. For benefit years beginning prior to July 1, 1992, "base period" means the first 4 of the last 5 completed calendar quarters immediately preceding the first day of an individual's benefit year provided that, if the first quarter of the last 5 completed calendar quarters was included in the base period applicable to any individual's previous benefit year, the individual's base period is the last 4 completed calendar quarters.

B. For benefit years beginning on July 1, 1992 and subsequent years, the "base period" means the first 4 of the last 5 completed calendar quarters immediately preceding the first day of an individual's benefit year. Any individual who fails to meet the eligibility requirements of section 1192 in this base period, the Department of Labor shall make a redetermination of eligibility based on a base period that consists of the last 4 completed calendar quarters immediately preceding the first day of the individual's benefit year.

C. For any individual who fails to qualify for benefits using a base period specified in paragraph B, the Department of Labor shall make a redetermination of eligibility based on a base period that consists of the last 3 completed calendar quarters and all wages paid prior to the effective date of the individual's initial claim in the calendar quarter in which the initial claim was filed.

D. All wages that fall within the base period of claims established under paragraphs B and C are not available for reuse in qualifying for any subsequent benefit years under section 1192.

E. In the case of a combined-wage claim pursuant to the arrangement approved by the United States Secretary of Labor in accordance with section 1082, subsection 12, the base period is that base period applicable under the unemployment compensation law of the paying state.

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STATEMENT OF FACT

4 In order to qualify for unemployment compensation benefits,
6 claimants must have earned a certain amount of wages in their
8 base period. Under current law, there may be as much as a
10 6-month lag in the wages that may be considered in establishing
12 eligibility. As a result, some individuals who have earned
14 enough wages to qualify for benefits are found ineligible
16 because their wages were earned too recently to be considered.

12 This bill establishes an alternative base period so that
14 individuals with the required amount of earnings can qualify even
16 if those wages were earned closer to the time of application for
unemployment compensation benefits than is allowed under current
law.