

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
116TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 212, L.D. 683, Bill, "An Act to Establish a Full Employment Program as a Pilot Project in Certain Counties of the State"

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

Sec. 1. 26 MRSA c. 35 is enacted to read:

CHAPTER 35

FULL EMPLOYMENT PROGRAM DEMONSTRATION PROJECT

§2191. Full employment program demonstration project

1. Development of program. The Bureau of Employment and Training Programs within the Department of Labor shall develop, in cooperation with the Department of Human Services, a plan for the implementation of a full employment program, described and referred to in this chapter as the "program." The Department of Labor shall select one county in the State in which to operate the program.

2. Purpose. The program must be a 3-year pilot program in which residents of the county selected pursuant to subsection 1 are provided with jobs, in lieu of receiving coupons under the food stamp program, payments under the unemployment compensation system or payments from aid to families with dependent children. The purposes of the program are to promote self-respect and encourage the unemployed who are willing to work to become self-sufficient and improve their position in the work force.

3. Waivers and rules. The Department of Labor and the Department of Human Services, as appropriate, shall petition the Federal Government to obtain any exemptions and waivers from federal laws, rules and regulations necessary to implement the

COMMITTEE AMENDMENT

2 program and to make funds from the suspended federal programs
3 available to the program. Upon obtaining all such exemptions and
4 waivers, the Commissioner of Labor and the Commissioner of Human
5 Services shall adopt changes to current rules as may be required
6 to implement the program under this chapter.

7 4. Advisory board. A voluntary advisory board must be
8 established in the county selected pursuant to subsection 1 to
9 assist the Bureau of Employment and Training Programs in the
10 administration of the program and to allow flexibility in dealing
11 with the particular needs of that county. The board shall
12 develop policy and procedures consistent with this chapter and
13 the rules adopted by the bureau. The board must be composed of 7
14 members who must be appointed by the county commissioners of the
15 selected county in cooperation with the Department of Labor.
16 Board members must be residents of the selected county and
17 appointed to 3-year terms.

18 5. Funding. Funds apportioned to or appropriated for
19 expenditure by the State under the Federal Unemployment Tax Act,
20 the food stamp program and the aid to families with dependent
21 children program must be used as necessary for the purposes of
22 this chapter.

23 6. Eligibility. Participation in the program must be
24 voluntary and any resident of the selected county who is 18 years
25 of age or older must be eligible to participate in the program.
26 County residents 16 to 18 years of age must be eligible for
27 summer work in the program.

28 7. Employers allowed to participate. Every employer,
29 including public and private sector employers, within the State
30 may use program participants to expand its work force or increase
31 production according to rules established by the Department of
32 Labor. An employer is not required to use eligible individuals
33 in the program. An employer may not use program participants as
34 a cost-saving measure instituted at the expense of the employer's
35 regular employees. Unassigned participants must be assigned to
36 work for public agencies located within the county.

37 Sec. 2. Report. By March 1, 1994, the Commissioner of Labor
38 shall submit a report and implementation plan, including any
39 necessary legislation, to the Executive Director of the
40 Legislative Council who shall provide copies to the joint
41 standing committee of the Legislature having jurisdiction over
42 human resources matters and the joint standing committee of the
43 Legislature having jurisdiction over labor matters. The report
44 must indicate whether the Governor and the Legislature need to
45 petition the United States Congress to amend federal laws in
46 order to fully implement a full employment program. The plan and
47 implementation shall be subject to the approval of the
48 Legislative Council.

state legislation submitted must provide for the implementation of a full employment program, as described in the Maine Revised Statutes, Title 26, chapter 35, to the fullest extent permitted under federal regulations and any applicable waivers. Notwithstanding the provisions of Title 26, chapter 35, the Commissioner of Labor may not submit an implementation plan or accompanying legislation that is inconsistent with any welfare reform legislation enacted during the First Regular Session of the 116th Legislature.

FISCAL NOTE

The Department of Labor will incur some minor additional costs to develop an implementation plan for a full employment program. These costs can be absorbed within the department's existing budgeted resources.

Implementation of the program will require several waivers from the Federal Government to receive the necessary funding. The funding impacts to the Unemployment Compensation Fund, the food stamp program and the aid to families with dependent children program can not be determined at this time.

The Department of Human Services will incur some minor additional costs to coordinate with the Department of Labor in the establishment of a full employment program. These costs can be absorbed within the Department of Human Services' existing budgeted resources.

The Department of Human Services may require additional General Fund appropriations and Federal Expenditure Fund allocations depending on the specific federal waivers that are obtained and on the level of participation among Department of Human Services' benefit recipients. The exact amounts can not be determined at this time.

The Legislature will incur some minor additional costs to provide copies of the implementation plan to legislators. These costs can be absorbed within the Legislature's existing budgeted resources.

STATEMENT OF FACT

This amendment retains the intent of the original bill to create a full employment program demonstration project but changes the location of the program from Oxford County to a county to be selected by the Department of Labor. The amendment

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2 provides that an employer may not utilize program participants at
the expense of its regular employees. The amendment also
4 clarifies that the bill does not directly establish the program
but requires the Department of Labor to develop an implementation
6 plan, including any necessary legislation, to be submitted to the
Legislature. The date by which this plan must be submitted is
8 changed from January 15, 1994 to March 1, 1994. The amendment
moves the responsibility for seeking federal waivers from the
10 Governor and the Legislature to the Department of Human Services
and the Department of Labor, as appropriate. The amendment
12 provides that the Department of Labor indicate in its report to
the Legislature whether complete implementation of the program
14 requires amendment to federal law. The amendment also clarifies
that the plan submitted must implement the program to the fullest
16 extent permissible under federal law but may not be inconsistent
with any welfare reform legislation passed during the First
18 Regular Session of the 116th Legislature. The amendment also
adds a fiscal note to the bill.

Reported by the Majority for the Committee on Labor.
Reproduced and Distributed Pursuant to Senate Rule 12.
(5/25/93) (Filing No. S-204)