

MAINE STATE LEGISLATURE

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DATE: 5-19-97

(Filing No. H-549)

LABOR

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 268, L.D. 332, "Resolve, to Implement the Recommendations of the Commission to Study Poverty Among Working Parents with Regard to Unemployment Compensation"

Amend the resolve by striking out the title and substituting the following:

'Resolve, to Establish the Commission to Study the Unemployment Compensation System'

Further amend the resolve by striking out everything after the title and before the summary and inserting in its place the following:

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

Whereas, the nature of the labor force and economy has changed dramatically since the State's unemployment compensation system was established; and

Whereas, the Joint Standing Committee on Labor has been presented this session with substantial evidence that the unemployment compensation program is not meeting the changing needs of the labor force and the business community; and

COMMITTEE AMENDMENT

2 **Whereas**, the Legislature has passed legislation in each of
the last 2 legislative sessions creating short-term solutions to
4 the problem of the solvency of the Unemployment Compensation
Fund; and

6 **Whereas**, the solvency of the fund is a continuing issue that
requires a long-term solution that would create more certainty
8 for both employees and employers; and

10 **Whereas**, these issues are sufficiently urgent that they must
be addressed during the next legislative session; and

12 **Whereas**, if the study commission to be established by this
14 resolve were to begin its work 90 days after adjournment, it
would not have enough time to study the issues and develop
16 legislation to be considered during the next legislative session;
and

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

24 **Sec. 1. Commission established. Resolved:** That the Commission
26 to Study the Unemployment Compensation System, referred to in
this resolve as the "commission," is established; and be it
28 further

30 **Sec. 2. Membership. Resolved:** That the commission consists
of 11 members as follows:

32 1. The 5 current members of the State Advisory Council as
34 established by the Maine Revised Statutes, Title 5, section
12004-I, subsection 53;

36 2. Four members of the Legislature, including 2 Senators
38 appointed by the President of the Senate, and 2 Representatives
appointed by the Speaker of the House of Representatives;

40 3. The Commissioner of Labor or the commissioner's
42 designee; and

44 4. One member representing women's issues appointed by the
Governor; and be it further

46 **Sec. 3. Appointments. Resolved:** That all appointments must be
48 made no later than 30 days following the effective date of this
resolve. The appointing authorities shall notify the Executive
50 Director of the Legislative Council upon making their

appointments. When the appointment of all members is complete, the Chair of the Legislative Council shall call and convene the first meeting of the commission. The commission shall select a chair from among its legislative members; and be it further

Sec. 4. Staff assistance. Resolved: That the commission may request staffing and clerical assistance from the Legislative Council; and be it further

Sec. 5. Duties. Resolved: That the commission shall study the unemployment compensation program to assess whether it is meeting the changing needs of the labor force and the business community. The commission shall examine the seasonality exclusion, disqualification of persons who lose work because of problems with child care or transportation, the timeliness of the extended benefit trigger, the adequacy of benefit duration in the dislocated worker benefit program, the solvency of the Unemployment Compensation Fund and the experience rating system, the disqualification of persons who seek part-time work, and minimum earnings thresholds; and be it further

Sec. 6. Reimbursement. Resolved: That the commission members who are Legislators are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, for each day's attendance at meetings of the commission. Upon application to the Legislative Council, all members of the commission are entitled to reimbursement for travel and other necessary expenses. The Executive Director of the Legislative Council shall administer the commission's budget; and be it further

Sec. 7. Report. Resolved: That the commission shall submit a report to the Joint Standing Committee on Labor by February 1, 1998 with specific recommendations including legislation if necessary; and be it further

Sec. 8. Legislation. Resolved: That the Joint Standing Committee on Labor may report out legislation that the committee determines is necessary to address issues that the commission is required to study pursuant to section 5 of this resolve; and be it further

Sec. 9. Appropriation. Resolved: That the following funds are appropriated from the General Fund to carry out the purposes of this resolve.

1997-98

LEGISLATURE

Commission to Study the Unemployment

Compensation System

2	Personal Services	\$1,100
4	All Other	4,500
6		
	TOTAL	<u>\$5,600</u>

8 Provides funds for the per diem of
 10 legislative members, expenses of members and
 12 miscellaneous costs, including printing, of
 the Commission to Study the Unemployment
 Compensation System.'

14 **Emergency clause.** In view of the emergency cited in the
 16 preamble, this resolve takes effect when approved.'

18 Further amend the resolve by inserting at the end before the
 20 summary the following:

FISCAL NOTE

1997-98

APPROPRIATIONS/ALLOCATIONS

28	General Fund	\$5,600
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30 The Legislature will require a General Fund appropriation of
 32 \$5,600 in fiscal year 1997-98 for the per diem of legislative
 34 members, expenses of members and miscellaneous costs, including
 printing, of the Commission to Study the Unemployment
 36 Compensation System. The additional costs associated with
 providing staffing and clerical assistance to the commission can
 be absorbed by the Legislature utilizing existing budgeted
 38 resources.

40 The Department of Labor will incur some minor additional
 42 costs to participate in the Commission to Study the Unemployment
 Compensation System. These costs can be absorbed within the
 department's existing budgeted resources.'

SUMMARY

46 This amendment creates the Commission to Study the
 48 Unemployment Compensation System. Responsibility for the study
 50 is transferred from the Commissioner of Labor to the commission.

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "1" to H.P. 268, L.D. 332

2 The Commission is charged with studying the issues enumerated in
the original resolve and, in addition, to study the solvency of
4 the unemployment compensation fund, the experience rating system,
the disqualification of persons who seek part-time work, and
6 minimum earnings thresholds. This amendment also adds an
emergency preamble.

8

COMMITTEE AMENDMENT