

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1537

S.P. 473

In Senate, March 8, 2001

**An Act to Increase Access to Unemployment Compensation for School
Bus Drivers.**

Reference to the Committee on Labor suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by President Pro Tem BENNETT of Oxford.
Cosponsored by Representative COLWELL of Gardiner and
Senators: EDMONDS of Cumberland, MILLS of Somerset, SAWYER of Penobscot,
TURNER of Cumberland, Representatives: DAVIS of Falmouth, TREADWELL of Carmel.

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

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4 **Sec. 1. 26 MRSA §1192, sub-§7, ¶B,** as amended by PL 1983, c.
13, §7, is further amended to read:

6 B. With respect to weeks of unemployment beginning after
8 September 3, 1982, in any other capacity for an educational
10 institution, benefits shall may not be paid on the basis of
12 those services to any individual for any week which that
14 commences during a period between 2 successive academic
16 years or terms if the individual performs those services in
18 the first of the academic years or terms and there is annual
20 written reasonable assurance that the individual will
22 perform the services in the 2nd of that academic year or
24 terms; except that if benefits are denied to any individual
26 under this paragraph and the individual was not offered an
 opportunity to perform the services for the educational
 institution for the 2nd of those academic years or terms,
 the individual shall be is entitled to a retroactive payment
 of benefits for each week for which the individual filed a
 timely claim for benefits and for which benefits were denied
 solely by reason of this paragraph. Benefits may not be
 denied pursuant to this paragraph to any person who is
 employed by an educational institution primarily to
 transport students to and from school or other
 school-related activities;

28 **Sec. 2. 26 MRSA §1192, sub-§7, ¶D,** as enacted by PL 1979, c.
30 515, §14, is amended to read:

32 D. With respect to weeks of unemployment beginning after
34 June 30, 1979, benefits shall may be denied to an individual
36 who performed services in an educational institution while
38 in the employ of an educational service agency for any week
40 which that commences during a period described in paragraphs
42 A, B and C if that individual performs any services
44 described in paragraphs paragraph A or B in the first of
46 these periods, as specified in the applicable paragraph, and
48 there is a contract or a reasonable assurance as applicable
 in the appropriate paragraph, that the individual will
 perform these services in the 2nd of these periods, as
 applicable in the appropriate paragraph. Benefits may not
 be denied pursuant to this paragraph during a period between
 2 successive academic years or terms to any person who is
 employed by an educational service agency primarily to
 transport students to and from school or school-related
 activities. For purposes of this paragraph the term
 "educational service agency" means a governmental agency or
 governmental entity which that is established and operated

2 exclusively for the purposes of providing these services to
one or more educational institutions.

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6 SUMMARY

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8 This bill ensures that persons employed by educational
institutions or education service agencies to transport students
to and from school or to school-related activities are eligible
10 to receive unemployment benefits when they are laid off between 2
successive academic years.