

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 962

S.P. 318

In Senate, March 9, 2017

An Act Regarding Unemployment Compensation for Workers Involved in Certain Seasonal Occupations

Reference to the Committee on Labor, Commerce, Research and Economic Development suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator JACKSON of Aroostook.
Cosponsored by Representative HERBIG of Belfast and
Senators: BELLOWS of Kennebec, CHIPMAN of Cumberland, LANGLEY of Hancock,
MIRAMANT of Knox, VOLK of Cumberland, Representatives: FECTIONEAU of Biddeford,
MARTIN of Eagle Lake, SYLVESTER of Portland.

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

2 **Sec. 1. 26 MRSA §1043, sub-§6-B** is enacted to read:

3 **6-B. Construction industry.** "Construction industry" means that industry that is
4 composed of employees and employers engaged in construction, reconstruction,
5 demolition, repair, improvement, enlargement or moving of buildings, roads, highways,
6 bridges, streets, alleys, sewers, ditches, sewage disposal plants, waterworks, airports and
7 all other structures or works whether private or public.

8 **Sec. 2. 26 MRSA §1192, sub-§2**, as amended by PL 2013, c. 314, §1, is further
9 amended to read:

10 **2. Has registered for work.** The individual has registered for work at, and
11 continued to report at, an employment office in accordance with rules the commission
12 adopts, except that the commission may, by rule, waive or alter either or both of the
13 requirements of this subsection as to individuals attached to regular jobs and as to such
14 other types of cases or situations with respect to which the commission finds that
15 compliance with the requirements would be oppressive, or would be inconsistent with the
16 purposes of this chapter. A rule under this subsection may not conflict with section 1191,
17 subsection 1.

18 The individual must actively seek work each week in which a claim for benefits is filed
19 unless the individual is participating in approved training under subsection 6 or work
20 search has been waived in accordance with rules adopted by the commission and provide
21 evidence of work search efforts in a manner and form as prescribed by the Department of
22 Labor. An individual who works in the construction industry, has worked for at least 20
23 weeks in the 12 months prior to making a claim for benefits pursuant to subsection 1 and
24 has a date to return to work for a previous employer is not required to engage in work
25 search efforts. An individual who works in the logging industry is not required to engage
26 in work search efforts from April 1st to June 1st. Failure to provide required work search
27 documentation results in a denial of benefits in accordance with section 1194, subsection
28 2 for the week or weeks for which no documentation was provided unless the department
29 determines there is good cause for the individual's failure to comply with this
30 requirement;

31 **SUMMARY**

32 This bill amends the unemployment compensation laws to provide that an individual
33 who works in the construction industry, has worked for at least 20 weeks in the 12
34 months prior to making a claim for benefits and has a date to return to work for a
35 previous employer is not required to engage in work search efforts. It also provides that
36 an individual who works in the logging industry is not required to engage in work search
37 efforts from April 1st to June 1st.