

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**  
**ONE HUNDRED AND SIXTEENTH LEGISLATURE**

**SECOND REGULAR SESSION**

**January 5, 1994 to April 14, 1994**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 14, 1994**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1993**

of another jurisdiction of the United States or Canada unless the applicant has first satisfied the board of the applicant's current competency by passage of written examinations or practical demonstrations as the board may from time to time prescribe for this purpose through rulemaking.

**Sec. 3. License renewal.** The expiration date of the licenses for all physicians who renew their licenses on July 1, 1994 is midnight of the last day of the month of the physician's birth in 1995 for every physician born in an odd-numbered year and is midnight of the last day of the month of the physician's birth in 1996 for every physician born in an even-numbered year. The fee for relicensure on July 1, 1994 must be prorated proportionally to the period of licensure between July 1, 1994 and the date of the next expiration.

**Sec. 4. Effective date.** Sections 1 and 2 of this Act take effect September 30, 1994.

**Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective March 14, 1994, unless otherwise indicated.

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## CHAPTER 527

S.P. 725 - L.D. 1946

### An Act Concerning Summer Work Permits

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

**Whereas,** current law requires work permits for all minors seeking employment; and

**Whereas,** summer youth employment and training programs are fast-paced programs requiring timely placement and replacement of participants; and

**Whereas,** complying with the work permit requirement for these summer work programs is time-consuming, costly and difficult to implement; and

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

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

**Sec. 1. 26 MRSA §775, sub-§6,** as amended by PL 1991, c. 713, §7 and affected by §9, is further amended to read:

**6. Exception.** This section does not apply to minors engaged in work performed in the planting, cultivating or harvesting of field crops or other agricultural employment not in direct contact with hazardous machinery or hazardous substances or to minors engaged in household work. Minors who are participants in summer youth employment and training programs funded by the Department of Labor are exempt from obtaining individual permits as long as the program employing the minor has submitted a master permit as developed by the director under section 777.

**Sec. 2. 26 MRSA §777,** as amended by PL 1991, c. 544, §7, is further amended to read:

**§777. Blanks furnished; filing of triplicate permits; surrender and cancellation of permits**

The blank work permit required by section 775 must be formulated by the director and furnished by the director to the persons authorized to issue work permits. The forms of ~~such~~ the permits must be approved by the Attorney General. Every work permit must be made out in triplicate. All triplicates, accompanied by the original papers on which ~~such~~ the permits were issued, must be forwarded to the bureau by the officer issuing the permits, within 24 hours of the time the permit was issued. The bureau shall examine ~~such~~ the papers and promptly return them to the officer who sent them after validating the copies and retaining one copy for bureau files. The officer may then return to the minor all papers filed in proof of age. Whenever there is reason to believe that a work permit was improperly issued, the director, deputy director or agent shall notify the local superintendent of schools of the place in which ~~such~~ the certificate was issued. The local superintendent shall cancel ~~such~~ the permit when directed to do so by the director.

The director shall develop a master permit system for participants in summer youth employment and training programs funded by the Department of Labor. The master permit eliminates the need for prior approval by the director or the superintendent of schools. A minor on a master permit may be removed from the master permit for the same reasons and in the same manner as applicable to an individual work permit.

**Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective March 14, 1994.

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## CHAPTER 528

S.P. 625 - L.D. 1744

### An Act to Ensure Continued Federal Support for Unemployed Workers during Periods of High Unemployment

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

**Whereas,** the Federal Emergency Unemployment Compensation program expired October 2, 1993; and

**Whereas,** it is likely that over 1,500 unemployed workers of the State will exhaust their regular unemployment benefits in each of the next several months; and

**Whereas,** the federal extension of emergency unemployment compensation currently under consideration by Congress is expected to expire in February; and

**Whereas,** there is a federal option that permits the State's long-term unemployed workers to qualify for either 13 or 20 weeks of additional unemployment benefits during periods of high unemployment, 50% of which would be paid by the Federal Unemployment Trust Fund; and

**Whereas,** without further legislative action the employer tax surcharge for unemployment will increase from 0.07% to 0.08% on January 1, 1994; and

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

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

**Sec. 1. 26 MRSA §1191, sub-§2,** as amended by PL 1993, c. 22, §2, is further amended to read:

**2. Weekly benefit amount for total unemployment.** Each eligible individual establishing a

benefit year on and after October 1, 1983, who is totally unemployed in any week must be paid with respect to that week, benefits equal to 1/22 of the wages, rounded to the nearest lower full dollar amount, paid to that individual in the high quarter of the base period, but not less than \$12. The maximum weekly benefit amount for claimants requesting insured status determination beginning October 1, 1983, and thereafter from June 1st of a calendar year to May 31st of the next calendar year may not exceed 52% of the annual average weekly wage, rounded to the nearest lower full dollar amount, paid in the calendar year preceding June 1st of that calendar year. No increase in the maximum weekly benefit amount may occur for the period from June 1, 1992 to ~~May 31~~ October 28, 1995. For claimants requesting insured status determination on or after April 1, 1993 and before January 1, 1995, the weekly benefit amount must be the amount determined by this subsection minus \$6.

**Sec. 2. Alternative trigger.** In addition to the conditions provided in the Maine Revised Statutes, Title 26, section 1195, there is a state "on" indicator for a week in the period from the effective date of this Act to April 30, 1994, if:

A. The average rate of seasonally adjusted total unemployment in this State, as determined by the United States Secretary of Labor, for the period consisting of the most recent 3 months for which data for all states are published before the close of that week equals or exceeds 6.5%; and

B. The average rate of seasonally adjusted total unemployment in this State, as determined by the United States Secretary of Labor, for the 3-month period referred to in paragraph A equals or exceeds 110% of the average rate for either or both of the corresponding 3-month periods ending in the 2 preceding calendar years.

**Sec. 3. Total extended benefit amount.** For the period from the effective date of this Act to April 30, 1994, and effective with respect to weeks beginning in a high unemployment period, the total extended benefit amount payable to any eligible individual with respect to the applicable benefit year is the lesser of the following amounts:

A. Eighty percent of the total amount of regular benefits that were payable to the individual under the Maine Revised Statutes, Title 26, chapter 13 in the applicable benefit year;

B. Twenty times the weekly benefit amount that was payable to the individual under Title 26, chapter 13 for a week of total unemployment in the applicable benefit year; or