

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 2010 to June 29, 2011

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 28, 2011

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

Augusta, Maine
2011

ning December 19, 2010 and ending on or before December 31, 2011 or until the date established in federal law permitting a state "on" indicator, whichever is later, if the Commissioner of Labor determines, in accordance with the regulations of the United States Secretary of Labor, that for the period consisting of that week and the immediately preceding 12 weeks the rate of insured unemployment not seasonally adjusted equaled or exceeded 120% of the average of such rates for the corresponding 13-week period ending in each of the preceding 3 calendar years and equaled or exceeded 5%.

There is a state "off" indicator for this State for a week if the Commissioner of Labor determines, in accordance with the regulations of the United States Secretary of Labor, that for the period consisting of that week and the immediately preceding 12 weeks the rate of insured unemployment not seasonally adjusted was less than 120% of the average of such rates for the corresponding 13-week period ending in each of the preceding 3 calendar years or was less than 5%.

Sec. 2. Alternative trigger. In addition to the conditions provided in the Maine Revised Statutes, Title 26, section 1195 and Public Law 2009, chapter 33, there is a state "on" indicator for a week in the period beginning December 19, 2010 and ending on or before December 31, 2011 or until the date established in federal law permitting this provision, whichever is later, if:

1. 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

2. 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 subsection 1 equals or exceeds 110% of the average rate for any or all of the corresponding 3-month periods ending in the 3 preceding calendar years.

There is a state "off" indicator for a week based on the rate of total unemployment only if the period consisting of the most recent 3 months for which data for all states are published before the close of such week does not result in a state "on" indicator.

Sec. 3. High unemployment period. In addition to the conditions provided in the Maine Revised Statutes, Title 26, section 1195 and Public Law 2009, chapter 33, there is a state "on" indicator for a week in the period beginning December 19, 2010 and ending on or before December 31, 2011 or until the date established in federal law permitting this provision, whichever is later, if:

1. 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 8%; and

2. 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 subsection 1 equals or exceeds 110% of the average rate for any or all of the corresponding 3-month periods ending in the 3 preceding calendar years.

There is a state "off" indicator for a week based on the rate of total unemployment only if the period consisting of the most recent 3 months for which data for all states are published before the close of such week does not result in a state "on" indicator.

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

Effective February 18, 2011.

CHAPTER 3

H.P. 32 - L.D. 39

**An Act Related to Family Law
Magistrates**

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

Sec. 1. 4 MRSA §183, sub-§1, ¶G, as enacted by PL 2005, c. 384, §1, is amended to read:

G. The Chief Judge of the District Court may allow family law magistrates to wear robes of ~~any color other than black~~ when presiding over any proceeding.

See title page for effective date.

CHAPTER 4

S.P. 25 - L.D. 10

**An Act To Clarify the Method
of Creating or Severing Joint
Tenancy**

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

Sec. 1. 33 MRSA §159, as amended by PL 1973, c. 788, §164, is further amended to read: