

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34

Date: (Filing No. S-)

LABOR AND HOUSING

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE
SENATE
130TH LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 486, L.D. 1509, “An Act To Provide That Maine’s School Bus Drivers Are Eligible for Unemployment Insurance in Certain Circumstances”

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

'An Act To Provide That Maine's School Bus Drivers Are Eligible for Unemployment Insurance'

Amend the bill by striking out everything after the enacting clause and inserting the following:

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

B. ~~With~~ Except as provided in subsection 7-A, with respect to weeks of unemployment beginning after September 3, 1982, in any other capacity for an educational institution, benefits ~~shall~~ may not be paid on the basis of those services to any individual for any week ~~which~~ that commences during a period between 2 successive academic years or terms if the individual performs those services in the first of the academic years or terms and there is annual written reasonable assurance that the individual will perform the services in the 2nd of ~~that~~ those academic ~~year~~ years or terms; except that if benefits are denied to any individual 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;

Sec. 2. 26 MRSA §1192, sub-§7-A is enacted to read:

7-A. Bus drivers. Notwithstanding subsection 7, paragraph B, a school bus driver employed in a school administrative unit on or after January 1, 2022 is eligible for benefits regardless of whether the school bus driver receives annual written reasonable assurance

COMMITTEE AMENDMENT

1 that the school bus driver will perform the services in the 2nd academic year or term of 2
 2 successive academic years or terms.

3 **Sec. 3. State to pay for benefits through 2023.** Notwithstanding the Maine
 4 Revised Statutes, Title 26, section 1221, the State shall fund the costs of unemployment
 5 benefits for any school bus driver in a school administrative unit who elects to apply for
 6 and is eligible for benefits pursuant to Title 26, section 1192, subsection 7-A. The State
 7 shall fund the costs otherwise payable by the school administrative units for unemployment
 8 benefits awarded to eligible employees through June 30, 2023.

9 **Sec. 4. Appropriations and allocations.** The following appropriations and
 10 allocations are made.

11 **LABOR, DEPARTMENT OF**

12 **Employment Security Services 0245**

13 Initiative: Provides one-time funds for the costs associated with making programming
 14 changes to allow the State to reimburse the Unemployment Compensation Fund for
 15 unemployment benefits paid to bus drivers through June 30, 2023 and to reverse the
 16 programming changes beginning July 1, 2023. Funds appropriated for this purpose do not
 17 lapse but must be carried forward into fiscal year 2022-23 to be used for the same purpose.

18	GENERAL FUND	2021-22	2022-23
19	All Other	\$500,000	\$0
20			
21	GENERAL FUND TOTAL	<u>\$500,000</u>	<u>\$0</u>

22 **Employment Security Services 0245**

23 Initiative: Provides one-time funds to reimburse the Unemployment Compensation Fund
 24 for unemployment benefits paid to any school bus driver who elects to apply for and is
 25 determined eligible for unemployment insurance benefits through June 30, 2023. Funds
 26 appropriated for this purpose do not lapse but must be carried forward into fiscal year 2022-
 27 23 to be used for the same purpose.

28	GENERAL FUND	2021-22	2022-23
29	All Other	\$6,800,000	\$0
30			
31	GENERAL FUND TOTAL	<u>\$6,800,000</u>	<u>\$0</u>

33 **LABOR, DEPARTMENT OF**
 34 **DEPARTMENT TOTALS**

35		2021-22	2022-23
36	GENERAL FUND	\$7,300,000	\$0
37			
38	DEPARTMENT TOTAL - ALL FUNDS	<u>\$7,300,000</u>	<u>\$0</u>

39 ,

40 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
 41 number to read consecutively.

1
2
3
4
5
6
7
8
9
10
11

SUMMARY

This amendment replaces the bill. This amendment allows school bus drivers employed in school administrative units on or after January 1, 2022 to be eligible for unemployment benefits regardless of whether the school bus driver receives annual written reasonable assurance that the school bus driver will perform the services in the 2nd academic year or term of 2 successive academic years or terms. It requires the State to fund the costs of unemployment benefits for any school bus driver in a school administrative unit who elects to apply for and is eligible for benefits under the Employment Security Law. It also adds an appropriations and allocations section.

FISCAL NOTE REQUIRED

(See attached)