

**Supplemental Administration Amendments Offered in the House
SB 1188 / HB 1526: The PORT Act**

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**1. Discretion to Exempt Other Specified Emergency Assistance
from UI Benefits Determinations**

Summary: This amendment would allow the Secretary of Labor to exempt other specified emergency assistance for the purposes of determining a claimant’s weekly benefit amount for unemployment insurance. This would allow payments under the programs created in the PORT Act to supplement rather than supplant unemployment insurance payments.

Amendments:

Article - Labor & Employment

§ 8-803.

(d) (1) Except as provided in § 8-1207 of this title for the work sharing program and § 8-1604 of this title for the Self-Employment Assistance Program, an eligible claimant shall be paid a weekly benefit amount that is computed by:

(i) determining the claimant’s weekly benefit amount under this section;

(ii) adding any allowance for a dependent to which the

claimant is entitled under § 8-804 of this subtitle; and

(iii) subject to **PARAGRAPHS (3) AND (4)** of this subsection, subtracting any wages exceeding \$50 payable to the claimant for the week.

(2) In computing benefits under this subsection, a fraction of a dollar shall be rounded to the new lower dollar.

(3) A payment to an individual as compensation for serving as an election judge for a local board of elections in the State may not be included when computing the wages required to be subtracted under Paragraph (1)(iii) of this subsection.

(4) A PAYMENT UNDER A PROGRAM INTENDED TO PROVIDE RELIEF TO AN INDIVIDUAL IMPACTED BY AN EVENT OR OCCURRENCE RESULTING IN A STATE OF EMERGENCY DECLARED BY THE GOVERNOR MAY BE EXCLUDED WHEN COMPUTING THE WAGES REQUIRED TO BE SUBTRACTED UNDER PARAGRAPH (1)(III) OF THIS SUBJECT IF THE SECRETARY FINDS THAT THE CIRCUMSTANCES JUSTIFY THE EXCLUSION. THIS PROVISION DOES NOT APPLY TO A DISASTER RELIEF PROGRAM UTILIZING EMPLOYMENT.

2. Clarifying Language from Commerce

Summary: The current language for Commerce's relief program requires that the business' operations or shipments rely on the use of or access to the Port; are hindered or halted entirely due to the reduced operations of the Port; and are subsequently diverted to other regional ports. Commerce's concern is that final 'and' will keep out businesses who are fully reliant on the Port of Baltimore (or at least the shipping channels) specifically - to the extent that they could not divert those business activities to another Port. As

examples, the current language could mean that terminal operators, private terminals, private security companies contracted by or at the Port would not be eligible despite having significant impact to their operations. Our recommendation to fix this would be to strike "and are subsequently diverted to other regional ports". We would retain the requirement that follows that the business be "committed to continuing operations, to the fullest extent practicable, at the Port once it resumes full operations" to still capture the intent that this be an incentive to retain business operations at the Port when possible.

Amendments:

(d) Subject to subsection (e) of this section, the Department of Commerce, as soon as practicable, shall establish a temporary relief program to provide assistance to businesses:

(1) the operations or shipments of which:

(i) rely on the use of or access to the Port; **AND**

(ii) are hindered or halted entirely due to the reduced operations of the Port; ~~and~~

~~(iii) are subsequently diverted to other regional ports; and~~

(2) that are committed to continuing operations or shipments, to the fullest extent practicable, at the Port once it resumes full operations.