

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
AS PASSED BY THE
Eighty-ninth and Ninetieth
Legislatures

OF THE
STATE OF MAINE

From April 21, 1939 to April 26, 1941
AND MISCELLANEOUS STATE PAPERS

Published by the Revisor of Statutes in accordance
with the Resolves of the Legislature approved June
28, 1820, March 18, 1840, March 16, 1842, and Acts
approved August 6, 1930 and April 2, 1931.

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PROPERTY OF THE
STATE OF MAINE
NOT TO BE SOLD

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council may sell and convey by quitclaim deed, or lease for a term of years, such part or parts of the land belonging to the state and occupied by the state school for boys in South Portland, as may in the opinion of the said commissioner and the governor and council be necessary for the extension or improvement of the Portland municipal airport so that the said airport shall be suitable for military purposes. Such sale or lease shall be on such terms and conditions as the said commissioner and the said governor and council shall decide.

Sec. 5. Definition. Wherever in this act the words "military purposes" appear, they shall mean any purposes that will aid in facilitating the preparation for or conduct of war whether for defense or offense or whether on land, sea, or in the air.

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.

Approved June 27, 1940

Chapter 309

AN ACT Amending the Unemployment Compensation Law Relating to the Unemployment Compensation Fund.

Emergency preamble. Whereas, the prompt and economical administration of the unemployment compensation fund requires the adoption of an amendment to the unemployment compensation law simplifying the procedure of disbursing unemployment compensation benefits;

And whereas, simplification of such administration of the unemployment compensation funds will relieve the state of a substantial expenditure making such saving available for other necessary purposes;

And whereas, in the judgment of the legislature these facts constitute an emergency within the meaning of section 16 of Article XXXI 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:

P. L., 1935, c. 192, § 9 (b) and (c), amended. Subsections (b) and (c) of section 9 of chapter 192 of the public laws of 1935, as amended, are hereby amended to read as follows:

'(b) **Accounts and deposit.** The treasurer of state shall be the ex officio treasurer and custodian of the fund and shall administer such fund in

accordance with the directions of the commission. ~~and the state controller shall issue his warrant upon it on certificates issued by the commission.~~ The treasurer of state shall maintain within the fund 3 separate accounts: (1) a clearing account, (2) an unemployment trust fund account, and (3) a benefit account. All moneys payable to the fund, upon receipt thereof by the commission, shall be forwarded to the treasurer who shall immediately deposit them in the clearing account. Refunds payable pursuant to section 14 of this act may be paid from the clearing account upon warrants ~~issued by the state controller on certificates issued by the commission~~ prepared by the commission and signed by the state controller. After clearance thereof all other moneys in the clearing account shall be immediately deposited with the secretary of the treasury of the United States of America to the credit of the account of this state in the unemployment trust fund, established and maintained pursuant to section 904 of the social security act, as amended, any provisions of law in this state relating to the deposit, administration, release, or disbursement of moneys in the possession or custody of this state to the contrary notwithstanding. The benefit account shall consist of all moneys requisitioned from this state's account in the unemployment trust fund.

Except as herein otherwise provided, moneys in the clearing and benefits accounts may be deposited by the treasurer, under the direction of the commission, in any bank or public depository in which general funds of the state may be deposited, but no public deposit insurance charge or premium shall be paid out of the fund. The treasurer shall give a separate bond conditioned upon the faithful performance of his duties as custodian of the fund in an amount fixed by the commission and in a form prescribed by law or approved by the attorney-general. Premiums for said bond shall be paid from the administration fund.

(c) **Withdrawals.** Moneys shall be requisitioned from the state's account in the unemployment trust fund solely for the payment of benefits in accordance with regulations prescribed by the commission. The commission shall from time to time requisition from the unemployment trust fund such amounts, not exceeding the amounts standing to this state's account therein, as it deems necessary for the payment of benefits for a reasonable future period. Upon receipt thereof the treasurer shall deposit such moneys in the benefit account and ~~the state controller shall issue his warrants shall be issued~~ for the payment of benefits solely from such benefit account. All such warrants ~~issued by the state controller~~ for the payment of benefits from the benefit account and of refunds from the clearing account shall ~~bear the countersignature of~~ be prepared by the commission and shall be signed by the state controller or on his behalf by his duly authorized representative for that purpose, and countersigned by the state

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treasurer or on his behalf by his duly authorized representative for that purpose, and when so signed and countersigned and delivered to the payee shall become a check against a designated bank or trust company acting as a depository of the state government. The commission shall be the sole judge of the legality or propriety of any award of benefits, or the amount thereof, appearing in any such warrant prepared by the commission, subject only to the right of appeal as provided in sub-sections (h) and (i) of section 6 of chapter 192 of the public laws of 1935 as amended. Any balance of moneys requisitioned from the unemployment trust fund which remains unclaimed or unpaid in the benefit account after the expiration of the period for which such sums were requisitioned shall either be deducted from estimates for, and may be utilized for the payment of, benefits during succeeding periods, or, in the discretion of the commission, shall be re-deposited with the secretary of the treasury of the United States of America, to the credit of this state's account in the unemployment trust fund, as provided in subsection (b) of this section.'

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.

Approved June 27, 1940

Chapter 310

AN ACT Amending the Law Relating to Deposits of State Funds.

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

Sec. 1. R. S., c. 2, § 75, amended. Section 75, chapter 2 of the revised statutes is hereby amended to read as follows:

'**Sec. 75. Relating to deposit of state funds; limitations.** The treasurer may deposit the moneys, including trust funds of the state in any of the banking institutions or trust companies or mutual savings banks organized under the laws of this state or in any national bank or banks located therein. No sum exceeding an amount equal to 25% of the capital and surplus of any ~~one bank or banking institution~~ trust company or national bank or a sum exceeding an amount equal to 25% of the reserve fund and undivided profit account of a mutual savings bank shall be on ~~deposited~~ deposit therein at any one time. The above restriction shall not apply to deposits subject to immediate withdrawal ~~actually made available~~ to meet the payment of any bonded debts or interest or ~~warrants of the governor and council~~ to pay current bills or expenses of the state.'

Approved July 26, 1940