

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

SECOND SPECIAL SESSION

December 12, 1991 to January 7, 1992

SECOND REGULAR SESSION

January 8, 1992 to March 31, 1992

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 30, 1992

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

J.S. McCarthy Company
Augusta, Maine
1992

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE

SECOND REGULAR SESSION

of the

ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

CHAPTER 121**S.P. 960 - L.D. 2430****An Act to Establish Economic Recovery
Tax Credits****Be it enacted by the People of the State of Maine
as follows:**

Sec. 1. Review of tax expenditures. In conjunction with its review pursuant to the Maine Revised Statutes, Title 36, section 197 and section 198, subsection 4, paragraphs N and O, the Joint Standing Committee on Taxation shall study the advisability and impact of creating the following tax credits:

1. A one-time investment tax credit on a business's machinery and equipment of which no prior use has been made and depreciable telemarketing personal property of the business when the business first began operation in this State during the taxable year;

2. A credit, limited to \$1,000 per employee, against the tax imposed in Title 36, Part 8 in the amount of 50% of the amount of educational assistance that qualifies for exclusion from the gross income of employees of the taxpayer for the taxable year;

3. A credit against the tax imposed in Title 36, Part 8 for each taxable year equal to 1.5% of the taxpayer's qualified investment. When an affiliated group of corporations is engaged in a unitary business, the credit would be applied against the total tax liability of all the taxable corporations in the affiliated group and apportioned among those taxable corporations in the same proportion as the tax liability of each taxable corporation bears to the total tax liability of all the taxable corporations; and

4. A credit for a taxpayer that constitutes an employing unit, as defined in Title 26, section 1043, subsection 10, against the tax imposed in Title 36, Part 8 in the amount of \$1,000 multiplied by the taxpayer's new jobs equivalent.

Sec. 2. Report. The Joint Standing Committee on Taxation shall report its findings to the next special session of the 115th Legislature, together with any necessary implementing legislation, called after the adjournment of the second regular session.

See title page for effective date.

CHAPTER 122**H.P. 1554 - L.D. 2192****An Act Related to Ordinary Death Benefits under
the Maine State Retirement System as It Affects
Terminally Ill Members**

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

Whereas, this Act makes changes in survivor benefits under the Maine State Retirement System that are vital to the survivors of members of the system who may die before 90 days after the adjournment of this Legislature; 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. Maine State Retirement System death benefits to surviving spouses. Notwithstanding Public Law 1991, chapter 469, a qualifying member of the Maine State Retirement System who was receiving a disability retirement benefit on or after October 9, 1991 due to a terminal condition as defined in the Maine Revised Statutes, Title 18-A, section 5-701 and who dies as a result of that terminal condition before July 1, 1993 is deemed to have died after July 1, 1993 for the purposes of calculating and awarding benefits to a surviving spouse, including a surviving spouse of a qualifying member who dies before completing the age and service requirements for service retirement, as provided pursuant to Public Law 1991, chapter 469.

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

Effective April 10, 1992.
