

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND TENTH LEGISLATURE

SECOND SPECIAL SESSION

September 25, 1981

AND

THIRD SPECIAL SESSION

December 9, 1981

AND

SECOND REGULAR SESSION

January 6, 1982 to April 13, 1982

AND AT THE

FOURTH SPECIAL SESSION

April 28, 1982 to April 29, 1982

AND AT THE

FIFTH SPECIAL SESSION

May 13, 1982

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 164, SUBSECTION 6.

J.S. McCarthy Co.
Augusta, Maine
1981

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND AND THIRD SPECIAL SESSIONS

and

SECOND REGULAR SESSION

and

FOURTH AND FIFTH SPECIAL SESSIONS

of the

ONE HUNDRED AND TENTH LEGISLATURE

1981

CHAPTER 633

H.P. 2008 - L.D. 1979

AN ACT to Make the State Unemployment
Tax Exemption for Individuals Engaged in
Fishing Consistent with the Federal
Unemployment Tax Exemption for
such Individuals.

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

Whereas, the provisions in the state's unemployment law for taxation of persons engaged in fishing are different from federal unemployment tax provisions; and

Whereas, such inconsistencies between state and federal unemployment tax laws impose burdens on many Maine fishing enterprises not shared by fishing enterprises in other states, by virtue of a resulting larger tax obligation, in some cases, and the increased administrative burden of figuring taxes due, in most cases; and

Whereas, Maine's fishing industry, a significant contributor to the state's economy, is thus adversely affected by such inconsistencies; 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:

26 MRSA §1043, sub-§11, ¶F, sub-¶(32), as last amended by PL 1977, c. 483, is repealed and the following enacted in its place:

(32) After December 31, 1981, services performed by an individual on a boat engaged in catching fish or other forms of aquatic animal life, unless those services would be included in the definition of "employment" for federal unemployment tax purposes under the Federal Unemployment Act, United States Code, Title 26, Section 3306(c), as it may

be amended; and

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

Effective April 6, 1982.

CHAPTER 634

H.P. 1936 - L.D. 1916

AN ACT to Ensure Continuance of the Residential Conservation Service.

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

Sec. 1. 5 MRSA §5004, sub-§3, ¶N is enacted to read:

N. In the event the Residential Conservation Service, as established by the United States Natural Energy Conservation Policy Act, Public Law 95-619, November 9, 1978, as amended by the United States Energy Security Act, Public Law 96-294, June 30, 1980, United States Code, Title 42, Section 8211 et seq., is repealed or amended so as to have the effect of removing requirements for providing energy conservation information and energy audits and arranging financing for energy conservation improvements for residential customers, the director shall be authorized to promulgate rules pursuant to the Maine Administrative Procedure Act, Title 5, chapter 375, to continue these services. In establishing these rules, the director shall simplify federal rules, insofar as possible, without preventing fulfillment of the program objectives and, in no case, shall he impose rules containing additional requirements for utilities.

Until the director promulgates new rules under this paragraph, the previously existing federal rules and any state rules implementing them shall be considered state rules with full force.

Sec. 2. Legislative findings and purpose. The Legislature finds that there is an urgent need to help Maine