

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND ELEVENTH LEGISLATURE

**FIRST REGULAR SESSION**  
December 1, 1982 to June 24, 1983  
Chapters 453-End

AND AT THE

**FIRST SPECIAL SESSION**  
September 6, 1983 to September 7, 1983  
Chapters 583-588

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

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J.S. McCarthy Co., Inc.  
Augusta, Maine  
1983

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION

CONTINUED

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

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- D. Director, Bureau of Labor Standards;
- E. Director, Bureau of Employment Security;
- F. Director, Maine Job Training Council;
- G. Executive Secretary, Maine Occupational Information Coordinating Committee;
- H. Executive Director, Office of Maine CETA; and
- I. Executive Director, State Employment and Training Council.

The commissioner may appoint, subject to the Personnel Law, such other personnel as may be necessary to carry out the functions of the department. The commissioner may transfer personnel within the department to insure the efficient utilization of department personnel;

Effective September 23, 1983.

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## CHAPTER 490

H.P. 1318 - L.D. 1745

AN ACT to Improve the Identification  
of Persons Trying to Evade State Taxes.

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

36 MRSA §5332, as repealed and replaced by PL 1977, c. 696, §295, is amended to read:

§5332. Failure to file return, supply information, pay tax

Any person required under this Part to pay any tax or estimated tax, or required by this Part or regulation prescribed thereunder to make a return, other than a return of estimated tax, keep any records or supply any information, who intentionally fails to pay that tax or estimated tax, make the return, keep the records or supply the information, at the time or times required by law or regulation, shall, in addition to other penalties provided by law, be guilty of a Class D crime. In determining whether a person is required to make a return under this Part, proof that the person filed a federal income tax return for a taxable year shall give rise

to a presumption that the person was required to file a federal income tax return for that taxable year.

Effective September 23, 1983.

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## CHAPTER 491

S.P. 615 - L.D. 1752

AN ACT to Adopt Federal Options in the  
Unemployment Compensation Extended Benefit  
Program.

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

Whereas, until very recently, federal law governing the unemployment compensation extended benefit and federal supplemental compensation programs did not permit any exception from ineligibility for persons unable to actively seek work because of illness or the obligation to appear for jury duty, causing serious financial hardship to many of the individuals affected; and

Whereas, Congress, through passage of the social security amendments of 1983, has now permitted an exception to ineligibility in these 2 limited situations; 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 §1195, sub-§3-A, ¶B, as enacted by PL 1981, c. 228, is amended to read:

B. He failed to actively engage in seeking work as prescribed under subsection 3-E-, unless that individual is not actively engaged in seeking work because that individual is:

(1) Before any court of the United States or any state pursuant to a lawfully issued summons to appear for jury duty; or