

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND ELEVENTH LEGISLATURE

SECOND SPECIAL SESSION

November 18, 1983

AND AT THE

SECOND REGULAR SESSION

January 4, 1984 to April 25, 1984

AND AT THE

THIRD SPECIAL SESSION

September 4, 1984 to September 11, 1984

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

J.S. McCarthy Co., Inc.
Augusta, Maine
1986

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION
of the
ONE HUNDRED AND ELEVENTH LEGISLATURE
JANUARY 4, 1984 TO APRIL 25, 1984

CHAPTER 647

H.P. 1402 - L.D. 1824

AN ACT to Clarify Return to Work Provisions Under the Workers' Compensation Law.

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

39 MRSA §66-A, 3rd ¶, as repealed and replaced by PL 1981, c. 474, §3, is amended to read:

The exercise of this authority shall not conflict with any provisions of a collective bargaining agreement between the employer and a labor organization which is the collective bargaining representative of the unit of which the injured workman is a part, if that agreement grants the injured employee greater rights than are provided in this section.

Effective July 25, 1984.

CHAPTER 648

S.P. 776 - L.D. 2094

AN ACT Defining Rehabilitation of Existing Building Projects under the Municipal Securities Approval Program.

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

Whereas, the past session of this Legislature enacted the Finance Authority of Maine Act; and

Whereas, the preceding statute to the Finance Authority of Maine was unclear with respect to rehabilitation of office buildings and retail stores 50 years of age or older under the Municipal Securities Approval Program; and

Whereas, under the preceding statute to the Finance Authority of Maine Act, some projects were ap-

proved for funding under the Municipal Securities Approval Program that involved the rehabilitation of existing office and retail store buildings at least 50 years of age; and

Whereas, the Finance Authority of Maine Act prohibits these types of rehabilitation projects under the Municipal Securities Approval Program; and

Whereas, several rehabilitation projects were commenced under the authority of the predecessor statute, but now bonds cannot be issued for these projects; and

Whereas, it would be advantageous to the people of the State and state businesses to make it clear that these rehabilitation projects are eligible for revenue bond financing under the Municipal Securities Approval Program; and

Whereas, it is necessary to obtain clarification from the Legislature to further the economic interest of this State and the purposes of the Finance Authority of Maine Act; 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. 10 MRSA §1001, sub-§7, as enacted by PL 1983, c. 519, §7, is amended to read:

7. Eligible project, subchapters III and IV. "Eligible project," as used in subchapters III and IV, means any type of project authorized for which the proceeds of the revenue obligation securities may be expended without causing the interest on the securities to lose its exemption from federal income taxation under the United States Internal Revenue Code, Section ~~103 (b)~~ 103 and as provided in section 1041, subsection 1 and section 1061, subsection 1, except:

A. Retail stores;

B. Office space of less than 30,000 square feet; and

C. Office space in excess of 30,000 square feet in which less than 1/2 of the employees occupying the square footage do not represent new jobs.

Sec. 2. 10 MRSA §1001, sub-§26, as enacted by PL 1983, c. 519, §7, is repealed and the following enacted in its place:

26. Reconstruction of existing building project. "Reconstruction of existing building project" means the reconstruction, rehabilitation or remodeling of any building or group of buildings that are adjacent to or abutting one another and which meet the following conditions.

A. The building or buildings are at least 50 years old.

B. The building or group of buildings contain in the aggregate a minimum of 5,000 gross square feet.

C. The building or buildings are to be reconstructed, rehabilitated or remodeled for commercial use and include all lands, property rights, rights-of-way, franchises, easements and interests in lands which may be acquired by the municipality or a user for completion of the project.

Sec. 3. 10 MRSA §1041, sub-§1, as repealed and replaced by PL 1983, c. 519, §14, is amended to read:

1. Kinds of projects. Acquire, construct, reconstruct, maintain, renew and replace eligible projects authorized under the United States Internal Revenue Code, Section 103(b) within the State as defined in section 1001, subsection 7, whether or not now in existence, or assist a user to acquire, construct, reconstruct, renew and replace these projects; except retail stores, office space of less than 30,000 square feet and office space of more than 30,000 square feet in which less than 1/2 of the employees occupying the square footage do not represent new jobs;

Sec. 4. 10 MRSA §1061, sub-§1, as repealed and replaced by PL 1983, c. 519, §17, is amended to read:

1. Kinds of projects. Acquire, construct, reconstruct, renew and replace or provide financing for, within the corporate limits of the municipality, eligible projects permitted under the United States Internal Revenue Code, Section 103(b) as defined in section 1001, subsection 7, except retail stores, office space of less than 30,000 square feet and office space of more than 30,000 square feet in which less than 1/2 of the employees occupying the square footage do not represent new jobs;

A. For the purposes of this subchapter only, a municipality may undertake or provide for the financing of reconstruction of an existing building project as defined in section 1001, subsection 26 and section 1063, subsection 2, paragraph G.

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

Effective March 14, 1984.

CHAPTER 649

H.P. 1419 - L.D. 1864

AN ACT to Clarify Disposition of Assets of Maine Self-Insurance Guarantee Association in the Event of Dissolution.

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

Whereas, Public Law 1981, chapter 484, created the Maine Self-Insurance Guarantee Association without specifically providing for disposition of assets upon dissolution; and

Whereas, the Maine Self-Insurance Guarantee Association has applied for federal tax exempt status under the United States Internal Revenue Code, Section 501 (c) (6), which requires that, upon dissolution of an organization, its assets be turned over to another exempt organization; and

Whereas, the Maine Self-Insurance Guarantee Association will incur federal tax liability upon its