

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

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

1982 income unless it obtains exempt status prior to the deadline for filing tax returns; and

Whereas, reduction of the Maine Self-Insurance Guarantee Association assets by federal taxation is not in the best interests of the people of the State; 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. 39 MRSA §23-A, sub-§1, as enacted by PL 1981, c. 484, §8, is amended to read:

1. Created. There is created a Maine Self-Insurance Guarantee Association to provide mechanisms for the payment of covered claims under self-insurance coverage, to avoid excessive delay in payment, to avoid financial loss to claimants because of the insolvency of a self-insurer and to assist in the detection and prevention of self-insurer insolvencies. It is declared that the Maine Self-Insurance Guarantee Association is an instrumentality of the State, provided that the debts and liabilities of the association shall not constitute debts and liabilities of the State.

Sec. 2. 39 MRSA §23-A, sub-§13 is enacted to read:

13. Disposition of assets upon dissolution. In the event of dissolution of the association, all assets remaining after provision for satisfaction of all outstanding claims shall be distributed to the Treasurer of State for establishment of a reserve to satisfy potential claims against the association and, all such claims being satisfied, for inclusion in the general assets of the State.

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