

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

Governor that the Constitution of Maine has been amended as ratified by the voters in the general election of November 1984 to require the Legislature to authorize, by majority vote, the issue of authorized but unissued bonds for projects for which there has been a partial issue of bonds.

Effective December 15, 1984, unless otherwise indicated.

CHAPTER 738

S.P. 861 - L.D. 2338

AN ACT to Provide for Repayment of
Interest Charges Incurred on Federal
Advances to the Unemployment Compensation
Fund.

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

Sec. 1. 26 MRS A §1165 is enacted to read:

§1165. Federal Advance Interest Fund

The Federal Advance Interest Fund shall be a special nonlapsing fund in the State Treasury. All receipts, including interest, fines and penalties collected from the special assessment as defined in section 1241, shall be paid into this fund. Income from investment of this fund shall be deposited to the credit of the fund. All money in the fund shall be deposited, administered and disbursed in the same manner and under the same conditions and requirements as are provided by law for other special funds in the State Treasury.

The money in this fund shall be used exclusively for the purpose of paying interest incurred on advances received from the Federal Unemployment Trust Fund. If, as of December 31st of any year, no interest is payable and no balance of interest-bearing advances exists in the Unemployment Compensation Fund, the unobligated and unencumbered balance of the Federal Advance Interest Fund in excess of \$50,000 shall be transferred to the Unemployment Compensation Fund by January 31st of the following year.

Sec. 2. 26 MRS A §1241 is enacted to read:

§1241. Special assessment

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Advance" means a loan made from the Federal Unemployment Trust Fund to the state's Unemployment Compensation Fund on which interest will be due and payable if the loan is not repaid by the due date set by the Federal Government.

B. "Anticipated interest" means the amount of interest that will be due on an advance under federal law on its interest due date if the advance is not repaid by the interest due date.

C. "Assessment quarter" means the calendar quarter in which an advance is received.

D. "Assessment rate" means a rate equal to the percentage, rounded to the next highest 1/10th of 1%, derived if the amount of interest that will be due if an advance is not repaid by the interest due date, minus any existing unobligated and unencumbered balance in the Federal Advance Interest Fund, is divided by the taxable wages reported by contributing employers for the calendar quarter in the immediately preceding calendar year that corresponds to the assessment quarter.

E. "Federal Advance Interest Fund" means the fund defined in section 1165.

F. "Interest due date" means:

(1) The date on which anticipated interest is due to the Federal Government on an advance which was not repaid by the due date set by the Federal Government; or

(2) If the Federal Government allows the State to defer repayment of an advance and anticipated interest on the advance, the date on which the deferred repayment is due to the Federal Government.

G. "Subsequent assessment quarter" means a calendar quarter subsequent to the assessment quarter.

2. Special assessment. If an advance has not been repaid during the assessment quarter for the advance and the balance in the Federal Advance Interest

Fund is insufficient to pay the anticipated interest charges that will be due on the advance on its interest due date, and if, using standards adopted under the Maine Administrative Procedure Act, the Commissioner of Labor determines that it is probable that the advance will not be repaid by the interest due date, then the Commissioner of Labor may assess a special assessment for that assessment quarter. The amount of an employer's special assessment shall be determined by multiplying the wages for employment taxable to an employer under section 1221 for that quarter by the assessment rate. Assessments shall be paid into the Federal Advance Interest Fund for use in paying interest on the advance.

After the money is received from the special assessment for the assessment quarter, if the balance in the Federal Advance Interest Fund is still not sufficient to pay the interest charges that will be due on the advance on its interest due date, then the commissioner may assess further special assessments in subsequent assessment quarters to raise the balance in the Federal Advance Interest Fund up to a balance sufficient to pay the interest charges. All provisions in this section that apply to the special assessment also shall apply to these further special assessments.

No special assessments may be assessed if sufficient unobligated and unencumbered funds are present in the Federal Advance Interest Fund to pay the anticipated interest on the advance on its due date.

3. Employers liable for special assessment. Each employer subject to this chapter, other than those liable for payments in lieu of contributions, shall be liable for special assessments.

4. Receipts. All receipts collected from a special assessment, including interest, fines and penalties on special assessments not paid when due, shall be paid into the Federal Advance Interest Fund.

5. Experience rating records. No special assessment may be credited to any employer's experience rating record.

6. Other provisions of chapter. All provisions of this chapter and rules promulgated under this chapter regarding payments, time limits, dates of payment, reports, interest and penalties on amounts not paid by employers when due, fines, liens and war-

rants which apply to the collection of contributions also shall apply to the collection of special assessments.

Effective July 25, 1984

CHAPTER 739

H.P. 1792 - L.D. 2366

AN ACT to Provide an Educational
Clearinghouse for Information on Nuclear
Usage.

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

20-A MRSA §254, sub-§7 is enacted to read:

7. Clearinghouse for information on nuclear usage. The commissioner shall:

A. Establish a clearinghouse for information on:

(1) The history of the development and deployment of nuclear weapons and industrial nuclear usage in the world;

(2) The evolution of the buildup of nuclear armaments and industrial nuclear usage;

(3) The overall consequences of the large scale use of nuclear weapons and industrial nuclear power; and

(4) Strategies to prevent and avert thermonuclear exchange;

B. Collect educational materials, including teaching aids, books and films, on the topics covered in paragraph A;

C. On request of a school administrative unit or private school, disseminate or loan the information and materials developed in paragraphs A and B and provide indirect consultation and referral services to teachers, administrators, students and adult education programs in the school unit or private school; and