

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWELFTH LEGISLATURE

SECOND REGULAR SESSION
January 8, 1986 to April 16, 1986

SECOND SPECIAL SESSION
May 28, 1986 to May 30, 1986

AND AT THE

THIRD SPECIAL SESSION
October 17, 1986

PUBLISHED BY THE DIRECTOR OF REVISOR OF STATUTES IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

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

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION
of the
ONE HUNDRED AND TWELFTH LEGISLATURE
1985

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

Whereas, the State has suffered severe job losses because of the increasing number of foreign made products entering the United States, including losses in the shoe industry and, more recently, in the paper industry; and

Whereas, the loss of these jobs causes great hardship to the former workers and their families and increases the burden on the public in general; and

Whereas, there is a critical need for resources to provide retraining for these workers to enable them to compete effectively in the labor market; 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 §1164, as amended by PL 1985, c. 346, §1, is further amended to read:

§1164. Special Administrative Expense Fund

The Special Administrative Expense Fund, as heretofore created, shall be a special fund in the State Treasury. All interest, fines and penalties collected under this chapter, together with any voluntary contributions tendered as a contribution to this fund, shall be paid into this fund. The moneys shall not be expended or available for expenditure in any manner which would permit their substitution for or a corresponding reduction in federal funds which would in the absence of said moneys be available to finance expenditures for the administration of the Employment Security Law. Nothing in this section may prevent the moneys from being used as a revolving fund to cover expenditures, necessary and proper under the law, for which federal funds have been duly requested but not yet received, subject to the charging of those expenditures against those funds when received. The moneys in this fund shall be used by the commissioner either for the payment of costs of administration

which are found not to have been properly and validly chargeable against federal grants or other funds received for or in the Employment Security Administration Fund on or after January 1, 1943, to finance the Maine Wage Assurance Fund established in section 632; or for the payment of costs of administering chapter 26, for which federal funds are not available. The moneys shall be available either to satisfy the obligations incurred by the bureau directly or by requesting the Treasurer of State to transfer the required amount from the Special Administrative Expense Fund to the Employment Security Administration Fund or the Maine Wage Assurance Fund. The Treasurer of State shall upon receipt of a written request of the commissioner make any such transfer. The commissioner shall give notice to the commission prior to any expenditures from this fund. The commissioner shall order the transfer of the funds or the payment of any such obligation and the funds shall be paid by the Treasurer of State on requisitions drawn by the commissioner directing the State Controller to issue his warrant therefor. Any such warrant shall be drawn by the State Controller based upon bills of particulars and vouchers certified by an officer or employee designated by the commissioner. The moneys in this fund are specifically made available to replace, within a reasonable time, any moneys received by this State pursuant to section 302 of the Federal Social Security Act as amended, which because of any action or contingency, have been lost or have been expended for purposes other than, or in amounts in excess of, those necessary for the proper administration of the Employment Security Law. The moneys in this fund shall be continuously available to the commissioner for expenditure in accordance with this section and shall not lapse at any time or be transferred to any other fund except as provided. Any moneys in the Special Administrative Expense Fund may be used to make refunds of interest, penalties or fines erroneously collected and deposited in the Special Administrative Expense Fund. On June 30th of each year all moneys in excess of \$100,000 in this fund shall be transferred to the Unemployment Compensation Fund, except that on June 30, 1985 1986 all money in excess of \$100,000 in this fund shall be placed in a Dislocated Workers Fund to be used in fiscal year 1985-86 1986-87 to provide training and supportive services for persons displaced from employment by imports in accordance with chapter 26. Eligibility for assistance shall not be related to an individual's income or resources.

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

Effective January 27, 1986.

CHAPTER 519

H.P. 72 - L.D. 93

AN ACT to Provide a Sales Tax, Trade-in Credit
for Chain Saws used to
Harvest Lumber.

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

36 MRSA §1765, as amended by PL 1979, c. 541, Pt. A, §222, is repealed and the following enacted in its place:

§1765. Trade-in credit

When one or more of the following items of tangible personal property are traded in toward the sale price of another of the same kind of the following items, the tax imposed by this Part shall be levied only upon the difference between the sale price of the purchased property and the sale price of the property taken in trade, except for transactions between dealers involving exchange of the property from inventory:

1. Motor vehicles. Motor vehicles;
2. Farm tractors. Farm tractors;
3. Boats. Boats;
4. Aircraft. Aircraft;
5. Lumber harvesting vehicles. Self-propelled vehicles used to harvest lumber; or
6. Chain saws. Chain saws.

Effective July 16, 1986.
