

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SIXTEENTH LEGISLATURE

SECOND REGULAR SESSION

January 5, 1994 to April 14, 1994

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 14, 1994

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

J.S. McCarthy Company
Augusta, Maine
1993

and active search for work are not applicable to the individual;

(2) The requirements of section 1193, subsection 3 relating to refusal to accept work are not applicable to the individual;

(3) The requirements of section 1191, subsection 3 and section 1043, subsection 17 relating to self-employment income are not applicable to the individual;

(4) An individual is considered unemployed for the purposes of section 1192; and

(5) An individual who fails to participate in self-employment assistance activities or who fails to actively engage on a full-time basis in activities, which may include training, related to establishing a business and becoming self-employed is denied benefits for the week the failure occurs.

5. Limitation on number of individuals receiving a self-employment assistance allowance.

The aggregate number of individuals receiving a self-employment assistance allowance at any time may not exceed 5% of the number of individuals receiving regular benefits at that time.

6. Financing costs of a self-employment assistance allowance.

A self-employment assistance allowance must be charged or assessed to an employer's account in accordance with section 1221. An allowance attributable to the United States Armed Forces or civilian service must be charged to the appropriate federal account.

7. Effective date and termination date. This section is effective for the weeks beginning after the date of enactment or after any plan required by the United States Department of Labor is approved, whichever date is later. This section terminates as of the effective date of the withdrawal of approval of any plan required by the United States Department of Labor or as of the week containing the date when federal law no longer authorizes self-employment assistance programs.

8. Appeal. A determination that an individual has not been accepted into a program approved by the commissioner that provides self-employment assistance activities may not be appealed under any provisions of this chapter. The appeal must be processed under the grievance procedure specified in section 2015-A, subsection 10.

9. Adopt rules. The commissioner may adopt rules in accordance with the Maine Administrative Procedure Act to implement a self-employment assist-

ance program, including, but not limited to, criteria for approval of programs that provide self-employment assistance activities, eligibility criteria for acceptance into and participation in these programs and the review and appeal process for determinations of individual eligibility for these programs.

10. Report. Annually by March 1st, the commissioner shall report to the joint standing committee of the Legislature having jurisdiction over labor matters on the self-employment assistance program. This report must include data on the number of individuals participating in the program and the number of businesses developed under the program, business survival data, the cost of operating the program, compliance with program requirements and data related to business income, the number of employees and wages paid in the new businesses and the incidence and duration of unemployment after business start-up. The report may also include any recommended changes in the program.

See title page for effective date.

CHAPTER 711

H.P. 1473 - L.D. 2001

An Act to Establish a Catastrophic Health Expense Program

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

Sec. 1. 36 MRSA §5219-I, as enacted by PL 1993, c. 410, Pt. YY, §3 and affected by §6, is repealed.

Sec. 2. 36 MRSA §5219-J is enacted to read:

§5219-J. Catastrophic health expense credit

An individual or trust, except those subject to the alternative minimum tax pursuant to section 5203-A, is allowed a credit that is equal to 2.7% of the individual's or trust's allowance of deduction pursuant to the Internal Revenue Code, Section 213(a) for the same tax year. The application of this credit may not result in a tax liability for the tax year of less than zero for the individual or trust.

Sec. 3. Application. This Act applies to tax years beginning on or after January 1, 1994.

See title page for effective date.