

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

SECOND SPECIAL SESSION
September 5, 1996 to September 7, 1996

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 4, 1996 to March 27, 1997

FIRST SPECIAL SESSION
March 27, 1997 to June 20, 1997

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 26, 1997

FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 1997

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
1997

and miscellaneous costs, including printing of the Maine Commission on Outstanding Citizens.

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TOTAL \$2,425

See title page for effective date.

CHAPTER 65

H.P. 268 - L.D. 332

Resolve, to Establish the Commission to Study the Unemployment Compensation System

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

Whereas, the nature of the labor force and economy has changed dramatically since the State's unemployment compensation system was established; and

Whereas, the Joint Standing Committee on Labor has been presented this session with substantial evidence that the unemployment compensation program is not meeting the changing needs of the labor force and the business community; and

Whereas, the Legislature has passed legislation in each of the last 2 legislative sessions creating short-term solutions to the problem of the solvency of the Unemployment Compensation Fund; and

Whereas, the solvency of the fund is a continuing issue that requires a long-term solution that would create more certainty for both employees and employers; and

Whereas, these issues are sufficiently urgent that they must be addressed during the next legislative session; and

Whereas, if the study commission to be established by this resolve were to begin its work 90 days after adjournment, it would not have enough time to study the issues and develop legislation to be considered during the next legislative session; 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

Sec. 1. Commission established. Resolved: That the Commission to Study the Unemployment Compensation System, referred to in this resolve as the "commission," is established; and be it further

Sec. 2. Membership. Resolved: That the commission consists of 11 members as follows:

1. The 5 current members of the State Advisory Council as established by the Maine Revised Statutes, Title 5, section 12004-1, subsection 53;
2. Four members of the Legislature, including 2 Senators appointed by the President of the Senate, and 2 Representatives appointed by the Speaker of the House of Representatives;
3. The Commissioner of Labor or the commissioner's designee; and
4. One member representing women's issues appointed by the Governor; and be it further

Sec. 3. Appointments. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council upon making their appointments. When the appointment of all members is complete, the Chair of the Legislative Council shall call and convene the first meeting of the commission. The commission shall select a chair from among its legislative members; and be it further

Sec. 4. Staff assistance. Resolved: That the commission may request staffing and clerical assistance from the Legislative Council; and be it further

Sec. 5. Duties. Resolved: That the commission shall study the unemployment compensation program to assess whether it is meeting the changing needs of the labor force and the business community. The commission shall examine the seasonality exclusion, disqualification of persons who lose work because of problems with child care or transportation, the timeliness of the extended benefit trigger, the adequacy of benefit duration in the dislocated worker benefit program, the solvency of the Unemployment Compensation Fund and the experience rating system, the disqualification of persons who seek part-time work, and minimum earnings thresholds; and be it further

Sec. 6. Reimbursement. Resolved: That the commission members who are Legislators are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, and reimbursement for travel and other necessary expenses for each day's attendance at meetings of the commis-

sion, upon application to the Executive Director of the Legislative Council. The Executive Director of the Legislative Council shall administer the commission's budget; and be it further

Sec. 7. Meetings. Resolved: That the commission may meet up to 4 times; and be it further

Sec. 8. Report. Resolved: That the commission shall submit a report to the Joint Standing Committee on Labor by January 1, 1998 with specific recommendations including legislation if necessary; and be it further

Sec. 9. Legislation. Resolved: That the Joint Standing Committee on Labor may report out legislation that the committee determines is necessary to address issues that the commission is required to study pursuant to section 5 of this resolve; and be it further

Sec. 10. Appropriation. Resolved: That the following funds are appropriated from the General Fund to carry out the purposes of this resolve.

1997-98

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Commission to Study the Unemployment Compensation System

Personal Services	\$880
All Other	1,300
TOTAL	\$2,180

Provides funds for the per diem and expenses of legislative members and miscellaneous costs, including printing, of the Commission to Study the Unemployment Compensation System.

Emergency clause. In view of the emergency cited in the preamble, this resolve takes effect when approved.

Effective June 12, 1997.

CHAPTER 66

H.P. 988 - L.D. 1368

Resolve, to Create a Task Force to Develop a Single Payment System for State and Federal Taxes for Small Businesses

Sec. 1. Task force established. Resolved: That the Task Force on State and Federal Tax Filing, referred to in this resolve as the "task force," is established; and be it further

Sec. 2. Task force membership. Resolved: That the task force consists of the following members:

1. Two representatives from the Bureau of Taxation, who must have expertise in the areas of state income and sales taxation, appointed by the Governor;
2. One representative from the State's Department of Labor, appointed by the Governor;
3. Three representatives from the business community, representing different geographic locations in the State, appointed by the Governor;
4. Two members of the House of Representatives, one of whom represents the Joint Standing Committee on Taxation, appointed by the Speaker of the House; and
5. One member of the Senate, appointed by the President of the Senate.

The Governor shall also seek 2 representatives from the Internal Revenue Service to be members of the task force; and be it further

Sec. 3. Appointments; meetings. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The Executive Director of the Legislative Council must be notified by all appointing authorities once the selections have been made. Within 15 days after the appointment of all members has been completed, the Chair of the Legislative Council shall call and convene the first meeting of the task force. The members shall select a chair from among the members; and be it further

Sec. 4. Duties. Resolved: That the task force shall develop a mechanism for a single-form filing and payment system for state and federal tax payments and withholdings for small businesses. Tax filing of the following must be included in the study: state sales tax, state and federal unemployment tax, state and federal income tax withholding and social security and Medicare payments; and be it further