

§1050. Constitutionality

If at any time the provisions of this chapter requiring the payment of contributions and benefits have been held invalid under the Constitution of Maine by the Supreme Judicial Court of this State or under the United States Constitution by the Supreme Court of the United States in such manner that any person or concern required to pay contributions under this chapter might secure a similar decision, or that the tax imposed by Title IX of the federal Social Security Act, as amended, or any other federal tax against which contributions under this chapter may be credited has been amended or repealed by Congress or has been held unconstitutional by the Supreme Court of the United States, with the result that no portion of the contributions required by this chapter may be credited against such federal tax, the Governor shall forthwith publicly so proclaim and upon the date of such proclamation the provisions of this chapter requiring the payment of contributions and benefits must be suspended. The commissioner shall thereupon requisition from the Unemployment Trust Fund all moneys therein standing to the commissioner's credit and shall direct the Treasurer of State to deposit such moneys, together with any other moneys in the fund, as a special fund in any banks or public depositories in this State in which general funds of the State may be deposited, and to hold such moneys for such disposition as the Legislature may prescribe. The commissioner shall thereupon refund, as the Legislature may prescribe, without interest and in accordance with rules prescribed by the commissioner, to each person or concern by whom contributions have been paid, their pro rata share of the total contributions paid under this chapter. Any interest or earnings of the fund must be available to the commissioner to pay for the costs of making such refunds. When the commissioner has executed the duties prescribed and performed such other acts as are incidental to the termination of the commissioner's duties under this chapter, the Governor shall by proclamation declare that this chapter ceases to be operative. [PL 2021, c. 456, §5 (AMD).]

SECTION HISTORY

PL 1979, c. 579, §8 (AMD). PL 1979, c. 651, §§9,47 (AMD). PL 2021, c. 456, §5 (AMD).

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