

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND ELEVENTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 1982 to June 24, 1983
Chapters 453-End

AND AT THE

FIRST SPECIAL SESSION
September 6, 1983 to September 7, 1983
Chapters 583-588

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
1983

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

CONTINUED

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

the municipal assessors final determination. If the board makes a determination that the owner is not subject to taxation under this chapter, the municipality shall notify the State Tax Assessor who shall abate the tax assessed under this chapter. In regard to the unorganized territory, the State Tax Assessor has the same rights and obligations as municipal assessors under this section.

Any municipality which certifies to the State Tax Assessor by October 15th, the landowners subject to the tax assessed under this chapter shall be entitled to compensation for administrative costs as provided in section 2715.

By October 15, 1983, municipal assessors shall review all land within their municipality and provide to the Forest Fire Advisory Council an estimate of the number of parcels containing at least one acre of protected land and the numbers of acres in each parcel.

By September 15, 1984, municipal assessors shall review all land within their municipality and provide to the State Tax Assessor a listing of all persons owning at least one acre of protected land on April 1, 1984, and the numbers of acres in each parcel owned by each person listed.

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

Effective September 9, 1983.

CHAPTER 587

H.P. 1369 - L.D. 1803

AN ACT to Correct and Clarify the Workers' Compensation Laws.

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

Sec. 1. 39 MRSA §95, as amended by PL 1983, c. 46, is further amended to read:

§95. Time for filing petitions

Any employee's claim for compensation under this Act shall be barred unless an agreement or a petition s provided in section 94 shall be filed within 2

years after the date of the injury, or, if the employee is paid by the employer or the insurer, without the filing of any petition or agreement, within 2 years of any payment by such employer or insurer for benefits otherwise required by this Act. The 2-year period in which an employee may file his claim does not begin to run until his employer, if he has actual knowledge of the injury, files a first report of injury as required by section 106 of the Act. Any time during which the employee is unable by reason of physical or mental incapacity to file the petition shall not be included in the period provided in this section. If the employee fails to file the petition within that period because of mistake of fact as to the cause and nature of the injury, he may file the petition within a reasonable time. In case of the death of the employee, there shall be allowed for filing said petition one year after that death. No petition of any kind may be filed more than 10 years following the date of the latest payment made under this Act. For the purposes of this section, payments of benefits made by an employer or insurer pursuant to section 51-B shall be considered payments under a decision unless a timely notice of controversy has been filed.

Sec. 2. 39 MRSA §103-B, sub-§1, as enacted by PL 1981, c. 514, §6, is amended to read:

1. Procedure. An appeal shall be taken from the commission decision by filing a certified copy of the decision, order or agreement, with the division within 20 days after receipt of notice of the filing of the decision by the commission or commissioner.

Any party in interest may present copies, certified by the clerk of the commission, of any order, decision or agreement to the clerk of the division.

The failure of an appellant who timely notifies the division of his desire to appeal to provide a certified copy of the decision, order or agreement appealed from shall not affect the jurisdiction of the division to determine the appeal on its merits unless the appellee shows substantial prejudice from that failure.

This section shall apply to cases now pending before the appellate division and to cases hereafter filed.