

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1984 to June 20, 1985
Chapters 384-End

AND AT THE

FIRST SPECIAL SESSION

November 13, 1985

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
1985

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST SPECIAL SESSION

of the
ONE HUNDRED AND TWELFTH LEGISLATURE

1985

CHAPTER 513

H.P. 1167 - L.D. 1664

AN ACT Concerning the Requirements for a
Rehabilitation Administrator Under the
Workers' Compensation Act.

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

Whereas, reform legislation was passed on an emergency basis at the First Regular Session of the 112th Legislature regarding workers' compensation; and

Whereas, those emergency reforms include a rehabilitation program; and

Whereas, the rehabilitation program must be set up immediately in order to cover injuries occurring on and after January 1, 1986; and

Whereas, the hiring of an experienced and qualified rehabilitation administrator is vitally necessary to implement this law; 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:

39 MRSA §82, sub-§2, as enacted by PL 1985, c. 372, Pt. A, §29, is amended to read:

2. Qualifications. The rehabilitation administrator must be certified as a certified rehabilitation counselor by the Commission on Rehabilitation Counselor Certification or must become certified as such within 10 months after the date of hiring, must be qualified by training or by experience in management of rehabilitation evaluation services and must be familiar with the workers' compensation system; or must have an equivalent combination of training, professional experience or education.

Emergency clause. In view of the emergency cited

in the preamble, this Act shall take effect when approved.

Effective November 15, 1985.

CHAPTER 514

H.P. 1163 - L.D. 1661

AN ACT Establishing a Commercial Forestry
Excise Tax and Providing an
Appropriation for Refunding Maine
Forest Fire Suppression Taxes Paid.

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

Sec. 1. 36 MRSA c. 366, as amended, is repealed.

Sec. 2. 36 MRSA c. 367 is enacted to read:

CHAPTER 367

COMMERCIAL FORESTRY EXCISE TAX

§2721. Legislative findings

The Legislature finds that engaging in commercial forestry is a privilege that results in costs as well as benefits to the State and that persons enjoying that privilege should be subject to the tax imposed by this chapter.

The Legislature further finds that the persons owning 500 acres or more of forest land are typically engaged in commercial forest activity. Historically, that amount of land has been used for administrative efficiency and to delineate the amount of land indicative of management for commercial activity, especially for purposes of the Maine Tree Growth Tax Law and the spruce budworm tax. The activity of growing commercially valuable trees is one which occupies a very long cycle. It is not uncommon that 40 years must pass between the planting of a seedling and the time when the tree will be harvested for commercial use. During that interim, it may at times be difficult to discern any obvious commercial activity taking place on the land. In many instances, the best accepted commercial practice with regard to that forest land is to do nothing other than to allow the trees to follow the natural course of maturation. Experience has shown that it is almost inevitable