

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND FOURTEENTH LEGISLATURE  
**FIRST REGULAR SESSION**

December 7, 1988 to July 1, 1989

Chapters 1 - 502

THE GENERAL EFFECTIVE DATE FOR  
NON-EMERGENCY LAWS IS  
SEPTEMBER 30, 1989

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

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J.S. McCarthy Company  
Augusta, Maine  
1989

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**PUBLIC LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED AT THE**  
**FIRST REGULAR SESSION**

**of the**  
**ONE HUNDRED AND FOURTEENTH LEGISLATURE**

**1989**

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3. "Arm's length" transactions. Sales of parcels occurring at "arm's length" only; and

4. No subdivision, development or speculative resale. Sales of parcels known or expected to result in subdivision, development or speculative resale for either purpose.

#### §726. Valuation of land

In determining the just value of undeveloped land, an assessor is to consider the base land value for the region. If an assessor finds that the just value of undeveloped land for any or all parcels containing at least 5 acres of undeveloped land within the local tax jurisdiction is different from the base land value, the assessor has the burden of establishing a reasonable alternative analysis of value to arrive at just value for the local jurisdiction. Such analysis is to be in writing and available for public inspection. When used for assessment purposes, the base land value is to be applied only to the portion of the parcel which is undeveloped. The assessor is to determine those areas of a parcel which are undeveloped land; areas which are associated with improvements or structures are to be excluded. The assessment book, or property record cards if utilized by the jurisdiction, shall indicate that amount of any parcel which is determined to be undeveloped land.

**Sec. 2. Effective date.** This Act shall take effect with regard to property tax years based on the status of property as of April 1, 1990, or thereafter.

See title page for effective date, unless otherwise indicated.

## CHAPTER 412

H.P. 919 - L.D. 1285

### An Act Regarding the Review of the Workers' Compensation Denials

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

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

**2. Basis.** There shall be no appeal upon questions of fact found by the commission or by any commissioner, except to correct manifest error or injustice.

**Sec. 2. 39 MRSA §103-B, sub-§2-A** is enacted to read:

**2-A. Basis.** There shall be no appeal upon questions of fact found by the commission or by any commissioner.

**Sec. 3. Report.** The chair of the Workers' Compensation Commission shall report to the joint standing committee of the Legislature having jurisdiction over labor matters by January 1, 1991, regarding the implementation and effect of this Act. The report shall include a summary

description of the number of cases in which questions of fact were appealed by the parties, the results of those appeals, the effect of those additional appeals upon the case load of the Workers' Compensation Commission, Appellate Division, and any other relevant information.

**Sec. 4. Repeal.** The Maine Revised Statutes, Title 39, section 103-B, subsection 2, as amended in this Act, is repealed on June 30, 1991.

**Sec. 5. Effective date.** Section 2 of this Act shall take effect on June 30, 1991.

**Sec. 6. Application.** Section 1 of this Act applies only to decisions issued by a Workers' Compensation Commission commissioner on or after the effective date of that section. Section 2 of this Act applies only to decisions issued by a Workers' Compensation Commission commissioner on or after the effective date of that section.

See title page for effective date, unless otherwise indicated.

## CHAPTER 413

H.P. 693 - L.D. 945

### An Act Making It Illegal to Possess Lobsters Caught Illegally

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

**Sec. 1. 12 MRSA §6432, sub-§5** is enacted to read:

**5. Penalty for possession.** Possession of lobsters other than caught by the method specified in subsection 1 is a Class D crime, except that in addition to any punishment that may be imposed under Title 17-A, Part 3, the court shall impose a fine of \$25 for each violation and, in addition, a fine of \$30 for each lobster involved.

**Sec. 2. 12 MRSA §6443** is enacted to read:

#### **§6443. Underwater storage**

Beginning January 1, 1990, any trap or other container used for storing lobsters beneath the surface of the coastal waters must be clearly marked with the wholesale seafood license number or the fishing license number of the person storing the lobsters. Any trap or other container and the contents in it found in violation of this section may be seized and the contents returned to their natural habitat.

See title page for effective date.