

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWENTIETH LEGISLATURE
FIRST REGULAR SESSION
December 6, 2000 to June 22, 2001

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 21, 2001

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
2001

these violations. Determination of whether a conviction constitutes a prior conviction for purposes of this subsection is pursuant to section 362, subsection 3-A;

C. A Class D crime, if the face value of the negotiable instrument exceeds ~~\$1,000~~ \$500 but does not exceed ~~\$2,000~~ \$1,000; or

D. A Class E crime, if the face value of the negotiable instrument does not exceed ~~\$1,000~~ \$500.

See title page for effective date.

CHAPTER 390

H.P. 723 - L.D. 943

An Act to Ensure that the Annual Inflation Adjustment for Partial Compensation for Injuries occurring Prior to November 20, 1987 is Fully Recognized and Paid

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

Sec. 1. 39-A MRSA §224 is enacted to read:

§224. Adjustment to partial incapacity benefit payments for injuries prior to November 20, 1987

The annual adjustment made pursuant to former Title 39, sections 55 and 55-A must be made as follows. The preinjury average weekly wage must first be adjusted to reflect the annual inflation or deflation factors as computed by the Maine Unemployment Insurance Commission for each year from the date of injury to the date of calculation. Once this weekly benefit amount is calculated, the amount must continue to be adjusted annually so that it continues to bear the same percentage relationship to the average weekly wage in the State as computed by the Maine Unemployment Insurance Commission as it did at the time of the injury. This section clarifies the method of calculating the annual adjustment to benefits under former Title 39, sections 55 and 55-A and applies to all benefit calculations pursuant to those sections.

Sec. 2. Application; retroactivity. This Act applies retroactively to benefit calculations made under the Maine Revised Statutes, former Title 39, sections 55 and 55-A at any time after January 1, 1972, and applies notwithstanding any adverse order or decree.

See title page for effective date.

CHAPTER 391

S.P. 628 - L.D. 1811

An Act to Permit the Salvage of Pulpwood

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

Whereas, it is necessary that this legislation take effect before the 90-day period so that salvage activities may begin immediately; 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:

Sec. 1. 12 MRSA §1867, sub-§1, ¶A-1 is enacted to read:

A-1. "Pulpwood" means a portion of a tree intended for use in the paper-making process.

Sec. 2. 12 MRSA §1867, sub-§1, ¶B, as enacted by PL 1997, c. 678, §13, is amended to read:

B. "Salvage" means any activity involved in the retrieval of sunken logs or pulpwood from submerged land.

Sec. 3. 12 MRSA §1867, sub-§6 is enacted to read:

6. Pulpwood salvage exemption. A person who has been granted a charter or other specific authorization by the Legislature prior to June 30, 1998 to erect and maintain piers and booms to collect and store pulpwood in waters over submerged lands may salvage the pulpwood stored in compliance with that charter and is exempt from subsections 3, 4 and 5 of this section, as long as, prior to conducting a pulpwood salvage operation, that person:

A. Provides documentation satisfactory to the bureau of the legislative charter or approval specifically authorizing pulpwood storage at the proposed salvage site;

B. Attests that the salvaged pulpwood is to be processed at a mill owned by that person;

C. Obtains all applicable permits required by local, state and federal agencies having jurisdiction over the salvage activity; and