

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTIETH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**November 13, 2002 to November 14, 2002**

**ONE HUNDRED AND TWENTY-FIRST LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 4, 2002 to June 14, 2003**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**FEBRUARY 13, 2003**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 13, 2003**

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

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2003**

Special Revenue Funds account in the Department of Labor from accumulated savings to the unappropriated surplus of the General Fund no later than June 30, 2003.

## PART L

**Sec. L-1. State Bureau of Identification; fees.** In accordance with the Maine Revised Statutes, Title 25, section 1541, the Commissioner of Public Safety is authorized to adjust the fee schedule for criminal history record checks effective May 1, 2003.

## PART M

**Sec. M-1. Carrying balance.** Notwithstanding any other provision of law, \$100,000 in the All Other line category in the Administrative Services and Corporations, General Fund account in the Department of the Secretary of State shall carry forward to fiscal year 2003-04 to be used for the same purposes.

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

Effective April 18, 2003.

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## CHAPTER 52

### H.P. 17 - L.D. 10

#### An Act to Amend the Laws Governing the Extension of Benefits for Partial Incapacity Under the Maine Workers' Compensation Act of 1992

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

**Sec. 1. 39-A MRSA §213, sub-§1,** as amended by PL 2001, c. 712, §1 and affected by §6, is further amended to read:

**1. Benefit and duration.** While the incapacity for work is partial, the employer shall pay the injured employee a weekly compensation equal to 80% of the difference between the injured employee's after-tax average weekly wage before the personal injury and the after-tax average weekly wage that the injured employee is able to earn after the injury, but not more than the maximum benefit under section 211. Compensation must be paid for the duration of the disability if the employee's permanent impairment, determined according to subsection 1-A and the impairment guidelines adopted by the board pursuant to section 153, subsection 8 resulting from the personal injury is in excess of 15% to the body. In all

other cases an employee is not eligible to receive compensation under this section after the employee has received 260 weeks of compensation under section 212, subsection 1, this section or both. The board may in the exercise of its discretion extend the duration of benefit entitlement beyond 260 weeks in cases involving extreme financial hardship due to inability to return to gainful employment. This authority may ~~not~~ be delegated by the board, on a case-by-case basis, to a hearing officer and such decisions or a panel of 3 hearing officers. Decisions made under this subsection must be made expeditiously. A decision under this subsection made by a hearing officer or a panel of 3 hearing officers may not be appealed to the board under section 320, but may be appealed pursuant to section 322.

See title page for effective date.

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## CHAPTER 53

### H.P. 13 - L.D. 6

#### An Act to Amend the Child Labor Laws

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

**Sec. 1. 26 MRSA §774, sub-§1,** as amended by PL 1997, c. 131, §1, is further amended to read:

**1. Minors under 18 years of age.** A minor under 18 years of age, enrolled in school, may not be employed as follows:

A. More than 50 hours in any week when the minor's school is not in session;

B. More than 20 hours in any week when the minor's school is in session, except that the minor may work up to 8 hours on each day that an authorized school closure occurs in that minor's school up to a total of 28 hours in that week. In addition, the maximum weekly hours a minor may work is 50 hours during any week that the approved school calendar for the minor's school is less than 3 days or during the first or last week of the school calendar, regardless of how many days the minor's school is in session for the week. If requested, a school must provide verification of its closings to the minor's employer or the Department of Labor;

C. More than 10 hours in any day when the minor's school is not in session;

D. More than 4 hours in any day when the minor's school is in session, except that the minor

may work up to 8 hours on the last scheduled day of the school week;

E. More than 6 consecutive days;

F. After 10 p.m. on a day preceding a ~~school~~ day on which the minor's school is in session or after 12 midnight on a day that does not precede such a school day; or

G. Before 7 a.m. on a ~~school~~ day on which the minor's school is in session or before 5 a.m. on a ~~day that is not a school day~~ any other day.

See title page for effective date.

**CHAPTER 54**

**H.P. 352 - L.D. 460**

**An Act To Encourage Dog Tracking of Wounded Big Game Animals**

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

**Sec. 1. 12 MRSA §7101, sub-§5, ¶N**, as enacted by PL 1999, c. 467, §1 and affected by §5, is amended to read:

N. License to use leashed dogs to track wounded deer (Permits a person to use one or more leashed dogs to track a lawfully wounded deer, moose or bear) \$25

**Sec. 2. 12 MRSA §7112** is enacted to read:

**§7112. Tracking wounded animals with leashed dogs; fee for services**

A person who holds a valid license issued under section 7101, subsection 5, paragraph N to use leashed dogs to track wounded big game animals may charge a fee for dog tracking services. Notwithstanding section 7001, subsection 13, a person is not a guide if the only services that person charges a fee for are dog tracking services pursuant to this section.

See title page for effective date.

**CHAPTER 55**

**S.P. 325 - L.D. 984**

**An Act To Amend the Laws Governing Registers of Deeds**

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

**Sec. 1. 33 MRSA §651**, as amended by PL 1965, c. 215, is repealed and the following enacted in its place:

**§651. Records; index**

The records and indexes in each registry office must be made and kept for public inspection on at least one of the following media: white, acid-free paper, microfilm, microfiche, or digital image stored on magnetic or optical media. The register shall make an alphabetical index to the records without charge to the county so that the same surnames are recorded together and shall show in addition to the names of the parties and the nature of the instrument, the date of the instrument, the date of its record and the name of the city, town or unincorporated place where the land conveyed is situated. As often as every 10 years the register shall revise and consolidate the index in such manner that all deeds recorded since the last revision of the index are indexed so that the same surnames appear together and all names are in alphabetical order. The revised and consolidated index must contain all data as to each and every deed or other instrument referred to in this section. If it becomes necessary to revise, renew or replace any index, the new index must be made in conformity with this section.

When the register of deeds is required by law or common practice to make a note in the margin of a record, it is determined sufficient if the note is made to the index in such a fashion that the note becomes a permanent part of the indexing of the record to which the marginal note is required to be made.

The register shall prepare, or have prepared, a microfilm record of each page of every instrument, plan or other document recorded in the registry office. The microfilm record made must be stored in a fireproof area. When original record books or plans are considered by the register to be in a condition that warrants withdrawal from regular use, the register may make a true copy of the contents of the record or may provide suitable means for reading the microfilm, microfiche or digital image stored on magnetic or optical media of the instruments withdrawn. The records and certified copies made either from the true copy or from images stored as provided in this section must be received in all courts of law with the same legal effect as those contained in the original.

**Sec. 2. 33 MRSA §652**, as amended by PL 2001, c. 667, Pt. C, §18, is further amended to read: