

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.

Penmor Lithographers
Lewiston, Maine
2003

7. Deeds pursuant to mergers or consolidations. Deeds made pursuant to mergers or consolidations of business entities, as defined in Title 13-A, section 912 carried out pursuant to Title 13-C, chapter 11, from which no gain or loss is recognized under the Internal Revenue Code;

Sec. D-27. 39-A MRSA §102, sub-§11, ¶A, as amended by PL 2001, c. 710, §18 and affected by §19, is amended by amending subparagraph (4) to read:

(4) Except for persons engaged in harvesting of forest products, any person who, in a written statement to the board, waives all the benefits and privileges provided by the workers' compensation laws, provided that the board has found that person to be a bona fide owner of at least 20% of the outstanding voting stock of the corporation by which that person is employed or a shareholder of the professional corporation by which that person is employed and that this waiver was not a prerequisite condition to employment. For the purposes of this subparagraph, the term "professional corporation" ~~has the same meaning as found in~~ a domestic or foreign professional corporation as defined in Title 13, section 703 723, subsection 1.

Any person may revoke or rescind that person's waiver upon 30 days' written notice to the board and that person's employer. The parent, spouse or child of a person who has made a waiver under the previous sentence may state, in writing, that the parent, spouse or child waives all the benefits and privileges provided by the workers' compensation laws if the board finds that the waiver is not a prerequisite condition to employment and if the parent, spouse or child is employed by the same corporation that employs the person who has made the first waiver;

Sec. D-28. 39-A MRSA §324, sub-§3, ¶C, as enacted by PL 1991, c. 885, Pt. A, §8 and affected by §§9 to 11 and amended by PL 1999, c. 547, Pt. B, §78 and affected by §80, is further amended to read:

C. The employer, if organized as a corporation, is subject to administrative dissolution as provided in Title 13-C, section 1421 or revocation or suspension of its authority to do business in this State as provided in Title ~~13-A~~ 13-C, section ~~1302~~ 1532. The employer, if licensed, certified, registered or regulated by any board authorized by Title 5, section 12004-A or whose license may be revoked or suspended by proceedings in

the District Court or by the Secretary of State, is subject to revocation or suspension of the license, certification or registration.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect July 1, 2003.

Effective July 1, 2003.

CHAPTER 345

S.P. 463 - L.D. 1407

An Act To Clarify the Timber Harvesting Notification Requirements

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

Sec. 1. 12 MRSA §8883, sub-§5, as amended by PL 1999, c. 361, §7, is further amended to read:

5. Notification exemption. The following activities are exempt from the notification requirement under this section:

A. Activities where forest products are harvested for an owner's own use and are not sold or offered for sale or used in the owner's primary wood-using plants;

B. Precommercial silvicultural forestry activities; and

C. Harvesting performed by the landowner within a 12-month period when the total area harvested on land owned by that landowner does not exceed:

(1) Two acres if the residual basal area of acceptable growing stock over 4 1/2 inches in diameter measured at 4 1/2 feet above the ground is less than 30 square feet basal area per acre; or

(2) Five acres if the residual basal area of acceptable growing stock over 4 1/2 inches in diameter measured at 4 1/2 feet above the ground is more than 30 square feet basal area per acre.

See title page for effective date.
