



LOGGER'S VOICE QUARTERLY

STANDING STRONG FOR LOGGERS

Here's to 2011!

Pessimistic or optimistic about 2011? As Winston Churchill once said, "A pessimist sees the difficulty in every opportunity; an optimist sees the opportunity in every difficulty."

Either way, **OPPORTUNITY** abounds in 2011!

Before moving forward, we assess 2010. Last year brought a renewed focus for PLC and our goals. Bridges were built as we reached out locally and nationally while keeping your values in sight. Working along side the Trust to Conserve Northeast Forestlands we continue our efforts in safety training and professional development. The PLC Safety Dividend Program remains strong (\$1.2 Million in 2010). We kept you in the loop with **IMPACT** publications dealing with issues like Truck Weights, Bonded Labor and State Elections.

At PLC of Maine we are optimistic about what the future holds for our members. With a new Administration in Augusta that is business friendly and the biggest change in Washington DC in years, we look forward to advocating for you in 2011.

PLC looks forward to seeing you soon...**Annual Meeting & Log A Load for Kids Fundraising Event, Friday, April 8, 2011** in Brewer at Jeff's Catering, Safety Trainings throughout the state and the Hands-On Biodiversity Workshop, March 3rd at Pinelands (Registration Form Enclosed—respond by 2/21).

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PLC Spotlight on



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Much to be done in 2011—Directors Update

I trust 2011 has gotten off to a great start for you. With the cold weather in full force, surely you are in the woods.

2010 was quite a year for PLC and 2011 looks to be even more eventful. Our goal is to continue to assist you thrive as business owners for the benefit of your families and your employees' families. Keeping you informed about issues that affect your business, listening to your concerns, providing safety training, business development and representing you at the state and national levels. You strive to be professional loggers everyday and we are proud to support your efforts.

To reach out to the "social media" crowd, our FACEBOOK page is up! This will be a great way to garner public interest and provide information from a professional logger's point of view.

November's election means new legislative leadership. With a promise to

be "business friendly", the opportunity is available to have our voices heard. The legislative session is shaping up to be a busy one as the new legislature will begin governing and a new group of commissioners is in the process of being confirmed. The Commissioners of Admin & Financial Services, Conservation, Economic & Community Development, Marine Resources have been confirmed. The hearings and confirmations of DEP, EPA and others will continue through early February.

At the federal level, there is still much work to be done. We are once again working with our delegation to make a permanent change to truck weight limits on I-95. We stood alongside Senator Collins at a recent press conference highlighting the immediate need for this change. It remains one of our top legislative priorities. We understand that this issue can mean profitability and stability for your business. **PLEASE help by signing the enclosed letter of support and send it back to us by February 7th, it will be part of a package to the members of the Maine delegation.**

We look forward to seeing you at our Annual Meeting & Log A Load for Kids Fundraiser on April 8th. Join the Trust's at the Hands-On Biodiversity Workshop—March 3rd (form enclosed). PLC Safety Committee is coordinating safety training in April and May at various locations around the state. May your 2011 be a prosperous one and I look forward to seeing you at one of our upcoming events & meetings.



DOC Commissioner Bill Beardsley & Governor LePage

Mike

IMPACT 2011 — Legislation that can affect you this year—opportunity to get involved

There are a number of legislative items impacting Loggers, new appointments at DOC and DOT, truck weights, LURC and Bonded Labor to name a few. We will be representing your interest in Augusta and DC, but your input is always needed. Below is a snapshot of what's to come, watch for emails, updates on FACEBOOK and the web:

Political Appointments

Bill Beardsley was confirmed this week as Commissioner of the DOC. David Bernhardt is the Governor's nominee for DOT. We will keep you updated on the internal appointments regarding MFS etc.

LURC Repeal / Changes – there are several bills to either reform or repeal the Land Use Regulatory Commission (LURC)

Reform – change jurisdiction of LURC (i.e. planning only with alternative oversight & rulemaking)

Repeal – outright repeal of LURC, moving LURC functions to the counties.

Two schools of thought on this within the industry (all agree LURC now is not good):

Reformed: Larger Landowners in particular think reform of LURC will work & seem reluctant or fearful of the counties having the power and seek to maintain uniformity of statewide planning function. Willing or inclined to replace existing bureaucracy with a modified or regional bureaucracy.

Repealed: Get rid of LURC entirely. Do not replace one bureaucracy with another because that could become just as tyrannical as current LURC. Move LURC functions to the county level, allowing the county to oversee the unorganized territories within their borders. Willing to adapt to variation between counties.

Truck Weights

Restoring Truck Weight Limits on Interstates is in the forefront. **Make sure you mail back your support letter to us**

asap. Senator Collins has made it her top priority and Maine's delegation is committed to work on this issue. It is all about voter input, send in those letters!

Health Care Reform Act of 2010
Requirement for increased 1099's for 2011 tax year—Starting, January 1, 1099's are required to be sent to all vendors who were paid \$600 or more in 2011. Numerous groups are lobbying to have this provision repealed.

Training for Future Loggers

Discussions with legislators and ALC are on-going. We are working to get an exemption for loggers to train family members to operate forestry equipment in mechanical logging operations, similar to the agricultural exemption for farmers to train children to operate mechanical farming equipment. Ultimately we want updated Dept. of Labor classification of logging possibly splitting Mechanical Classification vs. Conventional Classification to account for different Work Comp History/Mods.

Safety First!... where safety starts with you!



Winter means COLD and *whether* we are talking about our employees' safety or machine operations, it is all about preparation! Grab a cup of something hot to drink and read on for some quick tips (**always check with your manufacturer's manual for specifics to your equipment**)...

Cold Weather Preparations

Stay Up-to-Date

- Be alert of weather conditions
- Stay informed of potentially risky weather
- Check weather forecasts

Dress Properly

- Wear layers of loose fitting clothing
- Stay dry with water resistant clothing
- Wear windproof material as an outer shell
- Keep a spare set of clothes on hand

Protect Head, Hands & Feet

- Keep your head covered
- Wear head wear that is equipped with an insulated liner
- Wear insulated gloves
- Wear insulated socks, wear two pairs if feasible

Exposure Guidelines



Restrict exposure time if temperatures reach -17° C (0° F)

Restrict exposure time if wind chills reach -30° C (-22° F)

If you have further questions, our site has a link to OSHA's guide.

MACHINES & COLD

- Make sure you read the info for selecting lubricants in cold weather (lubricant viscosities)
- Before the beginning of cold weather, install correct lubricant in each department

- Keep all starting fluid at room temperature
- Inject starting fluid only while the engine is cranking
- Check all rubber parts weekly—hoses, tires and fan drive belts
- Check all electrical wiring and connections for any fraying or damaged insulation
- Keep all batteries fully charged and warm
- Fill the fuel tank at the end of each shift
- Check the air cleaners and the air intake daily (if snow is present, check the air intake more frequently)
- Do not store starting fluid or store alcohol in the operator's compartment.



APRIL 8th—Annual Meeting & Log A Load Fundraiser!

Friday, April 8th will be our Annual Meeting and Log A Load Fundraiser Event—**DANCING with the LOGGERS**— be ready to put on your dancing shoes to raise lots of money! Join us at Jeff's in Brewer for a great opportunity to learn, network and just plain have fun!

During the Annual Meeting we will elect the new board and have a general

membership meeting—review by-laws and organizational goals. After lunch we will have 2 workshops. Wendy Farrand will present Developing A Kick -@#* Crew offering ideas to help focus on the invisible assets in your company, improve morale, sense of team, safety and communication. Next, Nat Putnam, Esq.—Eaton Peabody, PA & Joe Pratt—Managing Director, Bar Harbor Trust Services will bring a “wealth”

of info, helping you navigate through the process of succession planning & wealth transfer. Following dinner... Loggers it's time to boogie! Learn to dance & raise money for Log A Load For Kids at the same time. Watch for your Annual Meeting Packet!





Reporting Laws You Need To Know...from our friends at

Important Medicare Mandated Reporting Laws that You Need to Know

Under the Federal Medicare Secondary Payer Laws, your company and your workers compensation carrier are considered the primary medical bill payer for Medicare beneficiaries whose injuries are compensable under state workers' compensation laws.

Therefore, payments made by Medicare are considered "conditional" and subject to reimbursement from you or your workers compensation carrier. To help ensure that Medicare remains the secondary payer, the Secondary Payer Laws mandate reporting requirements for medical payments made on behalf of Medicare beneficiaries.

Direct CMS Reporting Mandates

The reporting must be made directly to CMS, the agency that administers the Medicare Program. Workers compensation carriers are able to report its claims to CMS, but you should be aware of this required reporting in the event your company pays medical bills for a Medicare beneficiary and does not report them to your insurance carrier. Currently, there are a few, specific types of claims that are NOT subject to the mandatory reporting requirements. Until December 31, 2011, claims that meet ALL of the following criteria are exempt from the mandatory reporting requirements:

1) The claim is for medical treatment only; 2) The employee does not lose time from work beyond the applicable statutes' elimination period; (or 7 calendar days if the applicable law has not such limit); 3) All payment(s) has/have been made directly to the medical provider; and 4) Total payment for medicals does not exceed \$750.00.

Avoid Noncompliance Fines

All claims involving medical payments on behalf of Medicare beneficiaries that do not meet ALL of the above criteria MUST be reported to CMS. Failure to provide such notification may result in substantial fines for non-compliance. Insurance carriers are able to comply with these mandatory reporting requirements by making electronic data submissions on behalf of its accounts upon receipt of claims containing the pertinent information.

As an employer, if you pay for non-exempt medical costs on behalf of an employee who is a Medicare beneficiary *without* submitting an insurance claim, you may be exposing your company to substantial penalties. According to CMS, the person making the physical payment is the one responsible for reporting to CMS. This point is highlighted in an example provided by a CMS Alert on February 24, 2010, "

A claim is made against Company X which has insurance through Insurer Y. Company X settles the claim without informing its insurer. Company X is responsible for Section 111 reporting for the claim regardless of whether or not the settlement amount is within the deductible or in excess of the deductible."

Most Employers Are Not Able to Report

In order to report such claims to Medicare, you would have to register with CMS and be able to make electronic data submissions that are compatible with CMS's requirements.

However, most employers are not able to adequately report claims directly to CMS because of the time and expense involved to build the appropriate technology required. For this reason, any medical payments that are made directly for a Medicare beneficiary that fall outside of the exemption noted above should be reported to your insurance carrier for proper reporting to CMS since they have the capabilities to do so.

For more information on these issues, please visit the CMS website at www.cms.gov and review the information under Medicare on Section 111 or Secondary Payer reporting and compliance or contact your insurance agent.

Maine Loggers Protecting Water Quality



MFS recently released a study, [Maine Forestry BMP Use and Effectiveness 2005-2009](#).

The report indicates Maine loggers are doing a good job using forest management techniques that protect water quality.

The MFS looked at 500 randomly selected harvest sites between 05 and 09. Reporting, "The fact that 84% of cases evaluated showed no sedimentation and only 5% of crossings did not have BMPs applied indicates that most foresters and loggers understand the importance of maintaining water

quality and know what steps to take to protect it."

The study confirms what we at PLC already know; our loggers continue to proactively manage the resource.

See our website for the complete study.