

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**  
**ONE HUNDRED AND SEVENTEENTH LEGISLATURE**

**SECOND SPECIAL SESSION**  
**September 5, 1996 to September 7, 1996**

**ONE HUNDRED AND EIGHTEENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 4, 1996 to March 27, 1997**

**FIRST SPECIAL SESSION**  
**March 27, 1997 to June 20, 1997**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 26, 1997**

**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 19, 1997**

**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**  
**1997**

**CHAPTER 8****S.P. 552 - L.D. 1678****Resolve, Concerning Payments to Legislators during Special Session**

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

**Whereas,** this resolve eliminates the per diem compensation payment for special sessions held prior to June 18, 1997; and

**Whereas,** in order to apply to such a special session, this resolve must take effect in advance of the 90-day period; 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

**Sec. 1. Legislative compensation. Resolved:** That, notwithstanding the Maine Revised Statutes, Title 3, section 2, members of the Legislature are not entitled to per diem compensation payment for attendance at any special session of the 118th Legislature held prior to the statutory adjournment date of June 18, 1997; and be it further

**Sec. 2. Constituent services allowances. Resolved:** That, notwithstanding the Maine Revised Statutes, Title 3, section 2, payments for the balance of constituent services allowances may not be made until July 1, 1997.

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

Effective March 27, 1997.

**CHAPTER 9****H.P. 1194 - L.D. 1694****Resolve, to Provide for Legislative Review of Certain Agency Rules**

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

**Whereas,** unless this legislation is enacted as an emergency measure, the Legislature will lose its opportunity for meaningful review of certain agency rules; 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

**Sec. 1. Holdover. Resolved:** Notwithstanding the provisions of the Maine Revised Statutes, Title 5, section 8072, subsection 7, any major substantive rule submitted for review to the First Regular Session of the 118th Legislature for legislative review and not finally acted upon by the First Regular Session of the 118th Legislature prior to adjournment must be held over to the next special or regular session of the Legislature for review during that session.

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

Effective March 27, 1997.

**CHAPTER 10****H.P. 295 - L.D. 359****Resolve, to Establish a Study Group to Assess the Needs of the Office of the State Fire Marshal and Ensure Prompt, Effective Response to the Public's Fire Safety Needs**

**Sec. 1. Study group established. Resolved:** That the Commissioner of Public Safety shall convene a study group to review and consider improvements to the role of the Office of the State Fire Marshal in becoming more responsive to the public and in providing better service to the public. Specifically, the study group shall review the current resources, services provided, issues of concern, funding and the law enforcement role of the Office of the State Fire Marshal within the Department of Public Safety; and be it further

**Sec. 2. Membership. Resolved:** That the study group consists of the Commissioner of Public Safety or the commissioner's designee; the State Fire Marshal; one representative from the Fire Investigations Division within the Office of the State Fire Marshal appointed by the State Fire Marshal; one representative from the Inspections Division within Administrative Services of the Department of Public Safety appointed by the Commissioner of Public Safety; one certified firefighter appointed by the