

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND NINETEENTH LEGISLATURE**

**SECOND REGULAR SESSION**  
**January 5, 2000 to May 12, 2000**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**AUGUST 11, 2000**

**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**  
**2000**

This Act takes effect for all the purposes immediately upon acceptance by a majority of the legal voters voting at the meeting only if the total number of votes cast for and against the acceptance of this Act at the meeting equal or exceed 15% of the total vote for all candidates for Governor cast in the Town of St. Agatha at the next preceding gubernatorial election, but failure of approval by the necessary percentage of voters at any meeting does not prohibit a subsequent meeting or meetings to be held for the purpose on or before December 31, 2001.

Effective pending referendum.

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**CHAPTER 87**

**H.P. 1803 - L.D. 2530**

**An Act to Provide Payment for Overtime Amounts Due and to Reimburse for Costs Incurred in An Action to Recover those Amounts**

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

**Sec. 1. Payments to employees and former employees.** Upon receipt of a written release as provided in section 3, the Department of Administrative and Financial Services shall make payments as settlement of claims against the State, as specified in a document attached to a letter dated April 4, 2000 from David Plimpton, Special Master in the case of Mills v. Maine, No. 92-410-P-H (D.Me. 1992) to the chairs of the Joint Standing Committee on Judiciary. Copies of the document are on file at the Office of the Attorney General, the Bureau of Employee Relations within the Department of Administrative and Financial Services, the Department of Corrections and the Maine State Employees Association. Notwithstanding Title 5, section 17001, subsection 13, amounts paid pursuant to this Act are not considered "earnable compensation" for purposes of retirement.

**Sec. 2. Costs of suit.** Upon presentation of invoices indicating payment for the following costs, the Department of Administrative and Financial Services shall reimburse the entities who made the following payment:

1. Special Master Fees in the case of Mills v. Maine before the U.S. District Court for the District of Maine, not to exceed \$51,841.24;
2. Transcription costs in the case of Mills v. Maine, not to exceed \$5,815.47; and
3. Cost of printing legal briefs for appeal of the case of Alden v. Maine, 119 S. Ct. 2240 (1999) to the U.S. Supreme Court, not to exceed \$11,322.60.

**Sec. 3. Release.** Payments may not be made under this Act to any person unless that person signs a release releasing the State, its commissioners, directors and employees from any and all liability for claims relating to or arising out of claims for overtime compensation owed under the Fair Labor Standards Act, 29 United States Code, Section 201 et seq., including, but not limited to, all claims that were or could have been raised in the matters of Mills et al. v. Maine, Alden v. Maine, Farr et al. v. Maine, No. CV-97-438 (Cumb. Cty 2/26/96) and Blackie v. Maine, 75 F.3d 716 (1st Cir. 1996).

**Sec. 4. Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Act.

**2000-01**

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

**Miscellaneous Acts and Resolves**

All Other	\$282,894
Provides funds to pay employees and former employees for overtime and to reimburse for certain litigation costs in the cases of <u>Mills v. Maine</u> and <u>Alden v. Maine</u> .	

See title page for effective date.

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**CHAPTER 88**

**S.P. 915 - L.D. 2367**

**An Act to Provide for Safety in the Maine Conservation Corps**

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

**Whereas,** the Legislature has identified the immediate need for providing additional safety equipment for operations of the Maine Conservation Corps; and

**Whereas,** the concentration of the Maine Conservation Corps activities in late spring, summer and early fall requires immediate attention to these safety needs; and