

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTIETH LEGISLATURE

SECOND REGULAR SESSION
January 2, 2002 to April 25, 2002

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 25, 2002

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

J.S. McCarthy Company
Augusta, Maine
2002

CHAPTER 103**H.P. 1634 - L.D. 2137****Resolve, Regarding Legislative Review of Chapter 9: Rules Governing Administrative Civil Money Penalties for Labor Law Violations, a Major Substantive Rule of the Department of Labor, Bureau of Labor Standards**

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

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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. Adoption. Resolved: That final adoption of Chapter 9: Rules Governing Administrative Civil Money Penalties for Labor Law Violations, a provisionally adopted major substantive rule of the Department of Labor, Bureau of Labor Standards, that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A is authorized.

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

Effective April 4, 2002.

CHAPTER 104**H.P. 1603 - L.D. 2104****Resolve, to Further Protect Endangered and Threatened Species Through Better Communication**

Preamble. Whereas, the protection of endangered and threatened species and economic vitality are essential to the overall prosperity and health of the State; and

Whereas, economic activities within the State can be conducted in a manner that affords protection to endangered and threatened species; and

Whereas, timely exchange of information between state agencies and private landowners and foresters is crucial to ensuring economic vitality and the protection of endangered and threatened species; now, therefore, be it

Sec. 1. The Department of Conservation and the Department of Inland Fisheries and Wildlife directed to cooperate to ensure timely and accurate information exchange. Resolved: That the Department of Inland Fisheries and Wildlife and the Department of Conservation, referred to in this resolve as "the departments," shall evaluate the current systems of communication between those 2 departments and between those departments and private landowners and foresters regarding the location of endangered and threatened species on private property. The departments shall work with interested parties to identify processes that will ensure that information about endangered and threatened species can be disseminated in a timely manner to affected parties. The departments shall report their findings and any proposed legislation to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters by January 2, 2003.

See title page for effective date.

CHAPTER 105**H.P. 1631 - L.D. 2134****Resolve, Authorizing the Commissioner of Administrative and Financial Services to Purchase Land in Machias, Maine**

Sec. 1. Purchase land. Resolved: That the State, by and through the Commissioner of Administrative and Financial Services, is authorized to purchase property in the Town of Machias, consisting of up to 46 acres, more or less, for the new Downeast Correctional Facility. The property is located at the Machias Industrial Park and includes approximately 25 acres of adjoining acreage and an access road; and be it further