

# 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.**

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2003**

the Second Regular Session of the 121st Legislature on issues pertaining to barriers to affordable housing.

See title page for effective date.

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## CHAPTER 74

H.P. 1206 - L.D. 1627

**Resolve, Regarding Legislative Review of Chapter 14: Rules Governing Alternative Methods of Payment of Overtime for Certain Drivers and Drivers Helpers, 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 2-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 14: Rules Governing Alternative Methods of Payment of Overtime for Certain Drivers and Drivers Helpers, 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 2-A, is authorized; and be it further

**Sec. 2. Department to request legal opinion. Resolved:** That the Department of Labor shall ask the Attorney General to provide a legal opinion by September 1, 2003 as to the ability of the Department of Labor to take into account hours worked outside the State when determining whether overtime pay is required for work within the State; and be it further

**Sec. 3. Report to labor committee. Resolved:** That the Department of Labor shall meet with the Joint Standing Committee on Labor in September 2003, at the committee's request, to report on the Attorney General's opinion and the department's response to the opinion, including any proposed changes to the rule described in section 1.

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

Effective June 16, 2003.

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## CHAPTER 75

H.P. 292 - L.D. 372

**Resolve, to Improve Community Safety and Sex Offender Accountability**

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

**Whereas**, completion of the study established in this resolve to review policies affecting sentencing, registration, release and placement of sex offenders is of vital interest to the citizens of this State and must be completed as soon as possible; and

**Whereas**, immediate passage of this resolve is necessary to provide for full consideration of these important issues, timely completion of the study and submission of recommendations for consideration by the Second Regular Session of the 121st Legislature; 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. Commission established. Resolved:** That the Commission to Improve Community Safety and Sex Offender Accountability, referred to in this resolve as "the commission," is established; and be it further

**Sec. 2. Commission membership. Resolved:** That the commission consists of the following 18 members:

1. One member of the Senate, appointed by the President of the Senate;