

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-THIRD LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 6, 2006 to June 21, 2007**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 20, 2007**

**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**  
**2007**

legislation concerning the study under section 1 to the Second Regular Session of the 123rd Legislature.

See title page for effective date.

**CHAPTER 4**  
**H.P. 39 - L.D. 38**

**Resolve, Regarding Legislative  
Review of Portions of Chapter  
250: Rules Relating to  
Smoking in the Workplace, a  
Major Substantive Rule of the  
Department of Health and  
Human Services, Maine Center  
for Disease Control and  
Prevention, Partnership for a  
Tobacco-free Maine**

**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 portions of Chapter 250: Rules Relating to Smoking in the Workplace, a provisionally adopted major substantive rule of the Department of Health and Human Services, Maine Center for Disease Control and Prevention, Partnership for a Tobacco-free Maine that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective March 22, 2007.

**CHAPTER 5**  
**S.P. 105 - L.D. 322**

**Resolve, To Ensure More  
Comprehensive Investigation  
and Prosecution of Computer  
Crimes**

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

**Whereas**, in order for the State to combat the serious problem of child pornography and the related crime of child sexual abuse through the seizure and forensic evaluation of computers, adequate state resources and staff must be dedicated for that purpose; and

**Whereas**, in order to ensure that the Department of Public Safety has the forensic examiners and equipment necessary to aggressively address the proliferation of computer crimes against children, a review and assessment of the current resources and workload must be conducted immediately for the purpose of appropriating additional resources if needed; 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. Review by the Joint Standing Committee on Criminal Justice and Public Safety. Resolved:** That during the First Regular Session of the 123rd Legislature the Joint Standing Committee on Criminal Justice and Public Safety shall review and assess the current computer crimes resources appropriated to the computer crimes unit of the Department of Public Safety. The committee shall determine what impact the 2 new Computer Crimes Forensic Analyst positions and equipment, pursuant to Public Law 2005, chapter 676, have had on the backlog of computer crimes cases and whether additional positions and resources are necessary to aggressively address the proliferation of computer crimes, especially those against children. If necessary, upon completing the review, the committee may introduce legislation to implement its recommendations. The review and any proposed legislation must be completed by June 15, 2007.

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

Effective April 3, 2007.