

# MAINE STATE LEGISLATURE

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**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.**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**2002**

Notwithstanding the Maine Revised Statutes, Title 5, section 17651, and, except as provided in Title 5, section 17857, subsection 2, recipients of a service retirement benefit from the Maine State Retirement System who have returned to covered employment under the retirement system in a position that would otherwise be covered by the retirement plan for state employees and teachers may not contribute to the retirement system, do not earn creditable service for their employment after retirement and do not earn any additional retirement benefits as a result of that employment. They may participate in other retirement options available to similar employees, including the state program of tax-deferred arrangements under Title 5, chapter 67, at the discretion of their employer. For purposes of participation in the state employee health insurance program pursuant to the Maine Revised Statutes, Title 5, section 285 or in dental health insurance coverage offered by the State, recipients of a service retirement benefit under the Maine State Retirement System who are retired state employees and who are reemployed as state employees must be treated as retirees under section 285, subsection 1-A for purposes of eligibility for coverage under the group plan. A recipient of a service retirement benefit under the Maine State Retirement System who is a retired teacher and who returns to work as a teacher under this Act is eligible for coverage under the group health insurance plan for active teachers in the school administrative unit in which newly employed. For purposes of participation in the group accident and sickness or health insurance for retired teachers pursuant to Title 20-A, section 13451, a recipient of a service retirement benefit under the Maine State Retirement System who is a retired teacher who returns to work under this Act is eligible upon ceasing work to return to coverage under the group health insurance plan in effect for active teachers in the school unit from which the teacher originally retired, including state payment of a percentage of the premium cost under section 13451.

See title page for effective date.

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**CHAPTER 558**

**H.P. 1667 - L.D. 2172**

**An Act to Designate the Great Salt Bay Marine Shellfish Preserve**

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

**Sec. 1. 12 MRSA c. 629** is enacted to read:

**CHAPTER 629**

**GREAT SALT BAY MARINE SHELLFISH PRESERVE**

**§6961. Great Salt Bay marine shellfish preserve**

**1. Designation; prohibition.** The Great Salt Bay is designated as a marine shellfish preserve in which the harvesting of any shellfish species and other harvesting activities involving bottom disturbance are prohibited, except that the commissioner may authorize research activities in the area.

**2. Great Salt Bay defined.** For the purposes of this section, "Great Salt Bay" means the tidal portion of the Damariscotta River in the towns of Damariscotta, Newcastle and Nobleboro that is north of a line extending between 2 points of land located 600 yards north of the U.S. Route 1 highway bridge.

**3. Research activities.** This section does not apply to research activities in the Great Salt Bay that are authorized by the commissioner.

**4. Taking of finfish.** Nothing in this section may be construed to limit the taking of finfish from the Great Salt Bay.

**Sec. 2. Participation in study.** During the period ending June 30, 2005, the Department of Marine Resources, within existing budgeted resources, shall participate in the planning and evaluation of a privately funded study of the Great Salt Bay's ecology and resources if the Commissioner of Marine Resources authorizes the study in accordance with the Maine Revised Statutes, Title 12, section 6961. The department's participation must include representation of the department on a joint study management committee to be formed of representatives of the shellfish harvesting community, recreational ice anglers, local land trusts, the municipal officers of the towns of Damariscotta, Newcastle and Nobleboro and the University of Maine's Darling Marine Center laboratory.

See title page for effective date.