

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE

FIRST REGULAR SESSION
December 1, 2004 to March 30, 2005

FIRST SPECIAL SESSION
April 4, 2005 to June 18, 2005

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2005

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 17, 2005

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

Penmor Lithographers
Lewiston, Maine
2005

Sec. 1. 1 MRSA §148 is enacted to read:

§148. Community Giving Week

The 3rd full week in November of each year is designated as Community Giving Week, and the Governor shall issue annually a proclamation inviting and urging people of the State to observe this week in suitable places with appropriate activity.

See title page for effective date.

CHAPTER 21

H.P. 672 - L.D. 962

**An Act To Codify Unallocated Law
Regarding the Maine State
Retirement System**

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

Sec. 1. 5 MRSA §285, sub-§1-C is enacted to read:

1-C. Status of employees who have retired and returned to covered employment under Maine State Retirement System. For purposes of participation in the state employee health insurance program pursuant to this section or in dental 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 subsection 1-A for purposes of eligibility for coverage under the group plan.

Sec. 2. PL 2001, c. 442, §5 is amended to read:

Sec. 5. Status of employees who have retired and returned to covered employment under the Maine State Retirement System. 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.~~

See title page for effective date.

CHAPTER 22

S.P. 71 - L.D. 218

**An Act To Make Sexual Exploitation
of Minors a Crime Compensable by
the Victims' Compensation Board**

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

Sec. 1. 5 MRSA §3360, sub-§3, ¶F, as amended by PL 2003, c. 243, §1, is further amended to read:

F. An act of terrorism, as defined in United States Code, Title 18, Section 2331, committed outside of the United States against a resident of this State; or

Sec. 2. 5 MRSA §3360, sub-§3, ¶G, as enacted by PL 2003, c. 243, §1, is amended to read:

G. Leaving the scene of a motor vehicle accident involving personal injury or death, in violation of Title 29-A, section 2252; or

Sec. 3. 5 MRSA §3360, sub-§3, ¶H is enacted to read:

H. Sexual exploitation of a minor as described in Title 17-A, chapter 12.

See title page for effective date.

CHAPTER 23

H.P. 476 - L.D. 656

**An Act To Revise the Salary Range
of Certain Public Utilities
Commission Employees**

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

Sec. 1. 2 MRSA §6-A, sub-§3, as amended by PL 1985, c. 618, §1, is further amended to read: