

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE

SECOND SPECIAL SESSION
July 29, 2005

SECOND REGULAR SESSION
January 4, 2006 to May 24, 2006

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
OCTOBER 28, 2005

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 23, 2006

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

Penmor Lithographers
Lewiston, Maine
2006

Sec. 4. PL 2005, c. 386, Pt. J, §1, sub-§5 is amended to read:

5. Corrections Incentive Fund recommendation. The Commissioner of Corrections shall submit proposed legislation establishing a Corrections Incentive Fund to the Joint Standing Committee on Criminal Justice and Public Safety and the Joint Standing Committee on State and Local Government no later than ~~February 1, 2006~~ December 15, 2006. The purpose of the proposed Corrections Incentive Fund is to achieve significant and sustainable savings in the cost of delivering correctional services by funding proposals that are consistent with the final study recommendations. The proposed legislation must also include a provision for evaluating the effectiveness of the incentive fund and a requirement to sunset the fund unless there is sufficient evidence presented by the Department of Corrections to continue the fund.

Sec. 5. PL 2005, c. 386, Pt. J, §1, sub-§6 is enacted to read:

6. Authorized duties; nonlapsing funds. In addition to that specified in this section, the advisory committee is authorized to conduct any additional work authorized by law within its budgeted resources. Any General Fund appropriations originally appropriated to support the work of the advisory committee that remain within the Department of Corrections may not lapse but must be carried forward to be used for the same purpose.

Sec. 6. Retroactivity. This Act applies retroactively to January 1, 2006.

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

Effective May 30, 2006.

CHAPTER 668

S.P. 818 - L.D. 2086

An Act To Facilitate the Regionalization of Emergency Communications Dispatching Services

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

Sec. 1. 5 MRSA §17656, sub-§2 is enacted to read:

2. Reemployment of public safety communications dispatchers with Department of Public

Safety. Notwithstanding subsection 1, a member of the retirement system whose previous membership was based upon employment as a public safety communications dispatcher with a participating local district and whose employment with the participating local district was terminated as a result of the consolidation of the participating local district's public safety dispatching services with the Department of Public Safety and who then becomes employed as a public safety communications dispatcher for the department may elect to include that previously earned creditable service with service earned as a state employee if that member:

A. Makes a one-time, irrevocable election no later than 30 days after commencing employment as a public safety communications dispatcher for the Department of Public Safety; and

B. Has not previously withdrawn all of the member's accumulated contributions.

If a member makes the election provided in this subsection, the State shall make whatever contribution is necessary to provide the benefits under the retirement system for the member as though the previous employment had been as a state employee, and all funds in the retirement system contributed by the member's former employer on account of the member's previous employment must be transferred to the account of the State and must be used to liquidate the liability incurred by reason of the previous employment.

Upon notification by the Department of Public Safety to the retirement system that an employee has made an election under this subsection, the retirement system shall calculate and provide to the Department of Public Safety the amount of the employer contribution required under this subsection.

A member who makes the election provided in this subsection and for whom applicable additional employer contributions have been paid is entitled to include the creditable service and earnable compensation with the previous employer with the creditable service and earnable compensation with the State for the purposes of benefit qualification under section 17851 and computation of benefits under section 17852.

See title page for effective date.

CHAPTER 669

H.P. 1483 - L.D. 2091

An Act To Make Changes to the Laws Regarding Pine Tree Development Zones