

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

Penmor Lithographers
Lewiston, Maine
2007

ment establishment ordinance does not necessitate adoption of a comprehensive plan by a municipality that has no such comprehensive plan. As used in this section, "adult entertainment establishment ordinance" means an ordinance that regulates the operation of adult amusement stores, adult video stores, adult bookstores, adult novelty stores, adult motion picture theaters, on-site video screening establishments, adult arcades, adult entertainment nightclubs or bars, adult spas, establishments featuring strippers or erotic dancers, escort agencies or other sexually oriented businesses. For purposes of this subsection, "zoning ordinance" does not include a cluster development ordinance or a design ordinance prescribing the color, shape, height, landscaping, amount of open space or other comparable physical characteristics of development.

See title page for effective date.

CHAPTER 248

H.P. 1265 - L.D. 1813

An Act To Facilitate Collection of Money Owed to the State

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

Sec. 1. 4 MRSA §807-A, 3rd ¶, as enacted by PL 2003, c. 278, §4, is amended to read:

Upon the promulgation of and in accordance with rules adopted by the Supreme Judicial Court, employees of the Department of the Attorney General may serve civil process and represent the State in District Court in disclosure proceedings pursuant to Title 14, ~~chapter chapters~~ 502 and 502-A.

Sec. 2. 5 MRSA §202, as amended by PL 1973, c. 567, §2, is further amended to read:

§202. Employment of detectives

The Attorney General may, ~~by himself for the Department of the Attorney General~~ or through the several district attorneys or other officers of the State, employ such detectives or other persons, offer rewards or use other means that ~~he may deem the Attorney General considers~~ advisable for the detection, arrest and apprehension of persons who commit crime in this State. Detectives with the department may exercise all the powers necessary to levy and enforce writs of execution on judgments owed to the State. Any property seized as payment towards a judgment owed to the State may be sold by the State at a surplus auction or in any other commercially reasonable manner.

See title page for effective date.

CHAPTER 249

H.P. 1221 - L.D. 1738

An Act To Amend the Laws Relating to the Maine State Retirement System

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

Sec. 1. 3 MRSA §752, as enacted by PL 1985, c. 507, §1, is repealed.

Sec. 2. 3 MRSA §801, sub-§1, as amended by PL 2005, c. 516, §1, is further amended to read:

1. Membership mandatory. Every Legislator serving in the Legislature on or after December 3, 1986 is a member of the Maine Legislative Retirement System, except that any Legislator who is a member of the Maine State Retirement System on December 2, 1986 may continue to be a member of that system instead of becoming a member of the Maine Legislative Retirement System, and any Legislator who is a public school teacher or an employee of the Maine Community College System on leave of absence for the purpose of serving in the Legislature continues to be a member of the Maine State Retirement System and to have contributions deducted from the member's legislative earnable compensation as provided by Title 5, section 17701. A Legislator who terminates employment from a position requiring membership in the Maine State Retirement System no longer contributes to the Maine State Retirement System and, if qualified, is eligible to become a benefit recipient under Title 5, section 17804. Upon such termination, the Legislator becomes a member of the Maine Legislative Retirement System. ~~No~~ Except as provided in section 802, subsection 4, paragraph A, creditable service granted under the Maine State Retirement System may not be transferred to the Maine Legislative Retirement System. A member ceases to be a member when the member withdraws the member's contributions, becomes a beneficiary as a result of the member's own retirement or dies.

Sec. 3. 3 MRSA §802, sub-§4, ¶A, as enacted by PL 1985, c. 507, §1, is amended to read:

A. Any member who has not withdrawn ~~his~~ the member's accumulated contributions with the Maine State Retirement System and is not a benefit recipient under Title 5, section 17804 may, upon becoming a Legislator, have ~~his~~ the member's Maine State Retirement System contributions and membership service transferred to ~~his~~ the member's account with the Maine Legislative Retirement System and all creditable service resulting from ~~his~~ the member's membership in the Maine State Retirement System ~~shall be~~ is creditable service in the Maine Legislative Retirement System.