

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWENTIETH LEGISLATURE
FIRST REGULAR SESSION
December 6, 2000 to June 22, 2001

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 21, 2001

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

J.S. McCarthy Company
Augusta, Maine
2001

Sec. 2. Existing laws not affected; rights conferred subject to provisions of law. Nothing contained in this Act is intended to repeal or may be construed as repealing the whole or any part of any existing law, and all the rights and duties mentioned in this Act must be exercised and performed in accordance with all the applicable provisions and amendatory acts to the Maine Revised Statutes, Title 35-A to the extent that Title 35-A and its amendments affect the operations of the Town of Bar Harbor.

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

Effective May 9, 2001.

CHAPTER 17

H.P. 968 - L.D. 1292

An Act for Voluntary Testing for Hepatitis-C of Adult Prisoners in the Maine Correctional System

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

Sec. 1. Testing by Department of Corrections. To the extent adequate funding from the federal government is available, the Department of Corrections, referred to in this Act as the "department," shall offer a hepatitis testing and treatment program, referred to in this Act as the "program," to all adult prisoners under the supervision of the department, referred to in this Act as "prisoners." Nothing in this Act prohibits the department from offering any of the services described in this Act if federal funding is not available.

The program must provide testing for hepatitis-C to all prisoners that the department believes to be at high risk of being infected with hepatitis-C. During the first year of the program, testing must be offered to all prisoners whom the department believes to be at high risk of being infected with hepatitis-C. After the first year, testing must be offered to all new prisoners that the department believes to be at high risk of being infected with hepatitis-C. The program must provide pretest and posttest counseling for prisoners who test either positively or negatively for hepatitis-C. The program must also provide medical treatment for hepatitis-C, information on support groups, drug treatment services, immunization for hepatitis-A and hepatitis-B and case management services that connect prisoners with community resources upon discharge.

Prisoners may not be required to participate in the program or to submit to testing or treatment under the program.

Sec. 2. Allocation. The following funds are allocated from the Federal Expenditures Fund to carry out the purposes of this Act.

	2001-02	2002-03
CORRECTIONS, DEPARTMENT OF		
Correctional Program Improvement		
All Other	\$500	\$500
Provides a base allocation in the event federal funds are available to provide hepatitis testing and treatment.		

See title page for effective date.

CHAPTER 18

H.P. 1206 - L.D. 1628

An Act to Establish Municipal Cost Components for Unorganized Territory Services to be Rendered in Fiscal Year 2001-2002

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

Whereas, prompt determination and certification of the municipal cost components in the Unorganized Territory Tax District are necessary to the establishment of a mill rate and the levy of the Unorganized Territory Educational and Services Tax; 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 enacted by the People of the State of Maine as follows:

Sec. 1. Municipal cost components for services rendered. In accordance with the Maine Revised Statutes, Title 36, chapter 115, the Legislature determines that the net municipal cost component for services and reimbursements to be rendered in fiscal year 2001-02 is as follows:

Audit - Fiscal Administration	\$108,207
Education	10,634,540

Forest Fire Protection	150,000
Human Services - General Assistance	76,610
Property Tax Assessment - Operations	564,874
Maine Land Use Regulation Commission - Operations	189,844
TOTAL STATE AGENCIES	\$11,724,075
County Reimbursements for Services:	
Aroostook	\$592,930
Franklin	683,330
Hancock	64,888
Kennebec	7,035
Oxford	322,768
Penobscot	711,564
Piscataquis	498,654
Somerset	691,182
Washington	336,580
TOTAL COUNTY SERVICES	\$3,908,931
TOTAL REQUIREMENTS	\$15,633,006
COMPUTATION OF ASSESSMENT	
Requirements	\$15,633,006
Less Deductions:	
General -	
State Revenue Sharing	\$210,000
Homestead Reimbursement	100,000
Miscellaneous Revenues	50,000
Transfer from Undesignated Fund Balance	830,940
TOTAL	\$1,190,940
Educational -	
Lands Reserve Trust	\$110,000
Tuition - Travel	220,000
Miscellaneous	1,500
Special - Retirement	190,000
TOTAL	\$521,500
TOTAL DEDUCTIONS	(\$1,712,440)
TAX ASSESSMENT	\$13,920,566

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

Effective May 9, 2001.

CHAPTER 19

S.P. 252 - L.D. 884

An Act to Revise the Charter of the Ogunquit Sewer District

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

Sec. 1. P&SL 1913, c. 203, §2, as amended by P&SL 1973, c. 63, is repealed.

Sec. 2. P&SL 1963, c. 87, §1 is amended to read:

Sec. 1. Territorial limits; incorporation. ~~The inhabitants and territory of the within the Town of Ogunquit Village Corporation, in the Town of Wells and County of York, as presently constituted, and the inhabitants therein, shall~~ County constitute a public sewerage district and a body politic and corporate under the name of "Ogunquit Sewer District." The purpose of ~~said the~~ district, subject to the provisions of section 10 hereof, ~~shall be is~~ to take over, control, operate and manage the sanitary sewer system ~~now previously~~ owned by the ~~Town of Ogunquit Village Corporation~~ and as further improved and expanded by the Ogunquit Sewer District with all appurtenances thereto; to extend, increase, enlarge and improve ~~said the~~ sewer system; to extend the present system or systems so as to furnish sewerage facilities to those parts of the district and, as determined appropriate by the trustees of the district, to parts of adjoining municipalities not now served with such facilities; to provide for removal and treatment of sewage when, as and if such treatment becomes necessary; and generally to construct, maintain, operate and provide a system of sewerage, sewage disposal and sewage treatment for public purposes and for the health, welfare, comfort and convenience of the inhabitants of the district.

Sec. 3. P&SL 1963, c. 87, §2, as amended by P&SL 1975, c. 81, §1, is further amended to read:

Sec. 2. Authority to construct and maintain. Within ~~said the~~ territory and the territory of any adjoining municipality, ~~said the~~ Ogunquit Sewer District is authorized to lay pipes, drains, sewers and conduits, and to take up, repair and maintain the same or to contract for the same to be done in, along and through any public or private ways and public grounds and in, along and through lands of any person or