

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.

J.S. McCarthy Company
Augusta, Maine
2002

"Do you favor amending the charter of the Mt. Blue Standard Water District to accomplish the following:

1. Remove the requirement that the treasurer of the district be a trustee of the district;
2. Allow a person who is not a resident of the district but who is a customer of the district to serve as trustee of the district; and
3. Require the salary of the treasurer and of the trustees to be subject to approval by the voters in the district voting at a district meeting?"

The voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion on the question.

The results must be declared by the municipal officers of the Town of Avon and the Town of Phillips and due certificate of the results filed by the town clerks with the Secretary of State.

This Act takes effect immediately upon its acceptance by a majority of the legal voters in the district voting at the election. Failure to achieve the necessary approval in any referendum does not prohibit subsequent referenda consistent with this section as long as the referenda are held by January 1, 2003.

Effective pending referendum.

CHAPTER 49

H.P. 1418 - L.D. 1862

An Act to Amend the Charter of the Winterport Sewerage District

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

Whereas, the Department of Transportation will be conducting major reconstruction on Route 1A in the Town of Winterport during the spring and summer of 2002; and

Whereas, most of the town's water and sewer lines must be replaced at the same time as the Department of Transportation construction period occurs; and

Whereas, the town has secured a Community Development Block Grant for replacing the water and sewer lines and time is critical; 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:

PART A

Sec. A-1. P&SL 1971, c. 143, §17, first ¶, as amended by P&SL 1979, c. 68, is further amended to read:

Sec. 17. Authority to borrow money. For accomplishing the purposes of this Act and for such other expense as may be necessary for the carrying out of said purposes, said district, through its trustees, without district vote, is authorized to issue its notes and bonds in one series or in separate series from time to time and to make subsequent renewals of the same in whole or in part to an amount not exceeding the sum of ~~\$400,000~~ \$1,200,000. Said notes and bonds ~~shall be a~~ are the legal obligation of said district, which is hereby declared to be a quasi-municipal corporation within the meaning of the Maine Revised Statutes of 1964, Title 30 30-A, section 5053 5701 and all the provisions of said section are applicable ~~thereto~~ to those notes and bonds; ~~shall be~~ are a legal investment for savings banks in the State of Maine; and ~~shall be~~ are exempt from all present taxes. Each bond or note ~~shall~~ must have inscribed on its face the words "Winterport Sewerage District Bond" or "Winterport Sewerage District Note", as the case may be, and ~~shall bear~~ bears interest at such rates as the trustees ~~shall~~ determine. ~~If said bonds or notes be issued~~ The district may refund and reissue from time to time, in one or in separate series, its bonds, notes and other evidences of indebtedness and each authorized issue shall constitute constitutes a separate loan. Each loan is payable in annual amounts of principal, beginning not more than one year from its date and ~~made to run~~ running for such period as said trustees ~~shall~~ determine.

PART B

Sec. B-1. P&SL 1971, c. 143, §17, as amended by P&SL 1979, c. 68, is further amended by adding after the first paragraph the following new paragraphs to read:

Notwithstanding the limitations on total indebtedness established in this section, the trustees may propose a new debt limit for the district, which the trustees shall submit for approval in a districtwide referendum. The referendum must be called, advertised and conducted by the Town of Winterport according to the Maine Revised Statutes, Title 30-A, section 2528, except that the district is responsible for

calling and holding the public hearing prior to the election and the registrar of voters is not required to prepare or the town clerk to post a new list of voters. For the purpose of registering voters, the registrar of voters must be in session on the regular workday preceding the election. The town clerk of the Town of Winterport shall prepare the required ballots with the following question:

"Do you favor changing the debt limit of the Winterport Sewerage District from (insert current debt limit) to (insert proposed debt limit)?"

The voters shall indicate by a cross or check mark placed against the word "Yes" or "No" their opinion on the question.

The results must be declared by the municipal officers of the Town of Winterport and due certificate of the results filed by the town clerk with the Secretary of State.

A debt limit proposal becomes effective immediately upon its acceptance by a majority of the legal voters within the district voting at the election. Failure of approval by the necessary majority of voters at the referendum does not prevent subsequent referenda from being held for the same purpose. The costs of referenda conducted under this section are borne by the district. The total indebtedness of the district at any one time outstanding may not exceed the sum approved by referendum.

PART C

Sec. C-1. Emergency clause; referendum; effective date. In view of the emergency cited in the preamble, this Act takes effect when approved, except that Part A of this Act takes effect when approved only for the purpose of permitting its submission to the legal voters within the Winterport Sewerage District at a special or regular town meeting or election held prior to January 1, 2003. The election must be called, advertised and conducted according to the law relating to municipal elections, except that the registrar of voters is not required to prepare or the town clerk to post a new list of voters. The registrar of voters must be in session on the secular day next preceding the election. The town clerk shall prepare the required ballots, on which the town clerk shall reduce the subject matter of Part A of this Act to the following question:

"Do you favor increasing the debt limit of the Winterport Sewerage District from \$400,000 to \$1,200,000?"

The voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion on the question.

The results must be declared by the municipal officers of the Town of Winterport and due certificate of the results filed by the town clerk with the Secretary of State.

Part A of this Act takes effect immediately upon its acceptance by a majority of the legal voters voting at the election.

If, after January 15, 2002, but prior to approval of this Act, a vote is held at a town meeting in the Town of Winterport on an article that authorizes the Winterport Sewerage District to increase its debt limit to \$1,200,000 and a majority of the legal voters voting at the town meeting cast votes in favor of the question or article and due certificate of the results are filed with the Secretary of State, Part A of this Act takes effect when approved.

Effective pending referendum, unless otherwise indicated.

CHAPTER 50

H.P. 1490 - L.D. 1993

**An Act to Amend the Laws
Governing the Washington County
Emergency Medical Services
Authority**

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

Whereas, the Washington County Emergency Medical Services Authority has been established to provide emergency medical services to the communities of Washington County that were without an emergency medical services provider last year; and

Whereas, the Legislature has created the quasi-municipal authority to secure emergency medical services for Washington County; and

Whereas, other communities located in the Washington County region have requested the authority to provide their emergency medical services as well; and

Whereas, other modifications to the laws governing the authority are necessary for its continued successful operation; 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,