

# 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.**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**2002**

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.

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**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,

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

**Sec. 1. P&SL 2001, c. 1, §1** is amended to read:

**Sec. 1. Establishment.** The Washington County Emergency Medical Services Authority, referred to in this Act as "the authority," is established to facilitate the provision of emergency medical services to the citizens of Washington County. The authority also may provide emergency medical services upon request and by contract to municipalities located in the southern Aroostook County region, the northern Penobscot County region and the Province of New Brunswick.

**Sec. 2. P&SL 2001, c. 1, §2, sub-§2, ¶¶O and P** are amended to read:

O. Danforth, selected by its selectmen; ~~and~~

P. Baring, selected by its assessors; ~~and~~

**Sec. 3. P&SL 2001, c. 1, §2, sub-§2, ¶Q** is enacted to read:

Q. One member from the Passamaquoddy Tribe, selected by the Joint Tribal Council of the Passamaquoddy Tribe.

**Sec. 4. P&SL 2001, c. 1, §2, last ¶** is amended to read:

The members of the board are appointed for terms of one year and may be reappointed at the pleasure of the appointing authority. The appointing authority may also appoint an alternate who may vote in the absence of the appointed member from that constituency. If the appointing authority fails to appoint a member within 60 days of a vacancy, then the seat may be declared vacant by the chair of the authority and the vacant seat may not be counted toward a quorum. In the event that any community that has appointment authority has not paid its per capita stipend as determined by regular vote of the board, that community's representative or alternate may not vote on any matter relating to the finances of the authority.

**Sec. 5. P&SL 2001, c. 1, §3, sub-§§5 and 6** are amended to read:

5. Accept funds, grants and services from federal, state, county and municipal governments or any agency thereof, gifts and stipends from its member towns, private gifts from individuals and entities and stipends and subsidies from Canadian governments for the provision of services to Campobello Island and the Province of New Brunswick; ~~and~~

6. Apply for and accept loans and allocate and disburse funds received to carry out the purposes of the authority.

Debts of the authority authorized under this Act do not constitute or create any debt or liability on behalf of the State. Debts incurred under this Act do not directly, indirectly or contingently obligate the State to levy or to pledge any form of taxation or to make any appropriation for their payment. This subsection may not be construed to prevent the authority from pledging its full faith and credit to the payment of loans or other debts authorized pursuant to this Act; ~~and~~

**Sec. 6. P&SL 2001, c. 1, §3, sub-§7** is enacted to read:

7. Implement an intercounty subscription membership program with cities, towns and unorganized territories in counties near Washington County.

**Sec. 7. P&SL 2001, c. 1, §4, sub-§5** is amended to read:

5. Set and adjust an approved cost-basis schedule that is uniform throughout the ~~county~~ service area. The cost-basis schedule may reflect either a surcharge or a discount based on whether a particular community pays a subsidy, as long as all such surcharges or discounts are based on cost of service and are uniform for each class of community.

**Sec. 8. P&SL 2001, c. 1, §5, sub-§1** is amended to read:

1. The board shall elect a chair, vice-chair, ~~and secretary and treasurer~~ from among its members, including alternate members. The board shall also elect a treasurer. The treasurer is not required to be a member or alternate member of the board.

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

Effective February 28, 2002.

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**CHAPTER 51**

**H.P. 1407 - L.D. 1845**

**An Act Authorizing the Town of Waldoboro to Refinance Certain Temporary Bond Anticipation Notes Issued for its Water Project**

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