

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

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.

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

Whereas, the Town of Waldoboro has authorized the issuance of temporary general obligation bond anticipation notes in the principal amount not to exceed \$4,923,611, for the purpose of financing the acquisition of the assets of the Waldoboro Water Company and certain improvements to the town's water system and to develop a new water source and has issued its temporary general obligation bond anticipation notes to finance its water project, such debt being originally issued in September 1999; and

Whereas, difficulty in locating a pure source of water has caused the design and construction period of the project to extend beyond the time originally contemplated and has delayed the closing of the long-term financing with the United States of America and the Maine Municipal Bond Bank; and

Whereas, the Maine Revised Statutes, Title 30-A, section 5772 states that the period of anticipatory borrowing by a municipality may not exceed 3 years; and

Whereas, it is necessary for the Town of Waldoboro to extend the period of its anticipatory borrowing for an additional 3 years; 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. Authority to issue and sell temporary notes. Notwithstanding the Maine Revised Statutes, Title 30-A, section 5772, the Town of Waldoboro may issue and sell its temporary general obligation bond anticipation notes in a principal amount not to exceed \$4,923,611 for an additional 3 years for the purpose of refinancing certain outstanding temporary notes originally issued in September 1999 and to finance additional costs of the water project for the Town of Waldoboro. The 3-year limitation regarding temporary or anticipatory borrowing contained in Title 30-A, section 5772 is extended to 6 years for the Town of Waldoboro water project for notes that may be issued in the principal amount of \$4,923,611 as authorized by the voters of the Town of Waldoboro.

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

Effective March 6, 2002.

CHAPTER 52

S.P. 744 - L.D. 2074

An Act to Increase the Debt Limit of the Calais School District

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

Whereas, school overcrowding and outdated buildings are detrimental to the schools and students in Maine; and

Whereas, students in Calais schools are being housed in temporary classrooms or "pods" for needed class space; and

Whereas, the leases on these temporary buildings expire soon and means for funding adequate class space for Calais schools are ongoing; 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. 30, §1 is amended to read:

Sec. 1. Calais School District, incorporated. Subject to the provisions of section 7, the Calais School District, referred to in this Act as the "district" is established as a body politic and corporate and includes the inhabitants and territory within the City of Calais. The purposes of the district are, for the benefit of the inhabitants of the city, acquiring properties within the City of Calais for school and related athletic and recreational purposes; erecting, enlarging, equipping and maintaining on those properties school buildings and related athletic and recreational facilities with the right to lease or let those properties to the City of Calais and to lease purchase school administrative space, secured by a mortgage or ground lease and to lease or let such space to a school union that includes the City of Calais; and maintaining and improving other school buildings in the district and maintaining elementary and secondary schools.

Sec. 2. P&SL 2001, c. 30, §4 is amended to read:

Sec. 4. How financed. To ~~procure funds in-~~ cur indebtedness for the purposes of this Act, the district is authorized to issue bonds and notes but may