

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTIETH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**November 13, 2002 to November 14, 2002**

**ONE HUNDRED AND TWENTY-FIRST LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 4, 2002 to June 14, 2003**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**FEBRUARY 13, 2003**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 13, 2003**

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

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2003**

**CHAPTER 62****S.P. 23 - L.D. 37****An Act to Rename the Town of Westport**

**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 Westport requires approval from the Legislature in order to hold an election on March 29, 2003 to change the name of the town to "Town of Westport Island"; 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. 21-A MRSA §1203, sub-§16, ¶B,** as enacted by PL 1993, c. 628, §2, is amended to read:

B. In Lincoln County, the municipalities and unorganized territories of Alna, Boothbay, Boothbay Harbor, Bremen, Bristol, Damariscotta, Dresden, Edgecomb, Hibberts Gore unorganized territory, Jefferson, Monhegan Plantation, Newcastle, Nobleboro, Somerville, South Bristol, Southport, Waldoboro, Westport Island, Whitefield and Wiscasset.

**Sec. 2. 21-A MRSA §1204, sub-§55, ¶A,** as enacted by PL 1993, c. 628, §2, is amended to read:

A. In Lincoln County, the municipalities of Dresden and Westport Island; and

**Sec. 3. 30-A MRSA §66, sub-§8, ¶A,** as amended by PL 1993, c. 554, §1, is further amended to read:

A. Commissioner District Number 1 consists of the municipalities of Alna, Boothbay, Boothbay Harbor, Southport, Westport Island and Wiscasset. The term of office of the commissioner from this district expires in 1988 and every 4 years thereafter.

**Sec. 4. P&SL 1828, c. 511, §7** is enacted to read:

**Sect. 7. Be it further enacted,** That wherever the word "Westport" appears or reference is made to the town of Westport it means "Westport Island."

**Sec. 5. Referendum; effective date.** This Act takes effect when approved only for the purpose of permitting its submission to the legal voters within the Town of Westport at a special or regular town meeting or election held prior to January 1, 2004. 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 this Act to the following question:

"Do you favor changing the name of the Town of Westport to 'Town of Westport Island?' "

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 Westport and due certificate of the results filed by the town clerk with the Secretary of State.

This Act takes effect immediately upon its acceptance by a majority of the legal voters in the Town of Westport at the election.

**Sec. 6. Retroactivity.** This Act applies retroactively to March 24, 2003.

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

Effective April 18, 2003, unless otherwise indicated.

**CHAPTER 63****H.P. 90 - L.D. 81****An Act To Set the Minimum Legal Shell Size for Scallops****Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 12 MRSA §6728, sub-§2,** as enacted by PL 2001, c. 192, §1, is repealed.

**Sec. 2. 12 MRSA §6729** is enacted to read:

**§6729. Shell size minimum**

**1. Minimum shell size.** Except as provided in subsection 4, this subsection governs the shell size limits of scallops.