

MAINE STATE LEGISLATURE

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H.O.S.

L.D. 678

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UTILITIES AND ENERGY

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STATE OF MAINE
SENATE
121ST LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 242, L.D. 678, Bill, "An Act To Amend the Charter of the Lubec Water and Electric District"

Amend the bill in the emergency preamble by striking out all of the next to the last "Whereas" paragraph (page 1, lines 17 to 19 in L.D.) and inserting in its place the following:

'Whereas, it is imperative to have this legislation take effect as soon as possible; and'

Further amend the bill by striking out all of section 3 and inserting in its place the following:

'Sec. 3. P&SL 1951, c. 92, §9 is repealed and the following enacted in its place:

Sec. 9. Board of trustees. The affairs of the district must be managed by a board of trustees composed of 3 members who must be residents of the district and reside in a household to which the district's service is provided. A municipal officer, as defined in the Maine Revised Statutes, Title 30-A, section 2001, subsection 10, of the Town of Lubec is not eligible to be a trustee, and whenever a trustee becomes a municipal officer the trustee automatically ceases to be a trustee. The present trustees hold office as trustees for the terms for which they were elected and as each term expires one trustee must be elected by the registered voters of the district, at the next annual town meeting of the Town of Lubec, to serve for a term of 3 years. The trustees shall hold meetings in the Town of Lubec and may organize by the election of a president and a clerk, adopt a

COMMITTEE AMENDMENT

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2 corporate seal and choose a treasurer and, when necessary, all
4 other officers and agents, including a general manager, who, with
6 the treasurer, shall serve at the trustees' pleasure and whose
8 compensation is fixed by the trustees. The trustees are entitled
10 to compensation for their services as determined by the
12 trustees. Whenever a vacancy occurs in the office of the
14 president, clerk, general manager or treasurer, that office must
16 be filled by the board of trustees. If a vacancy occurs in the
18 board of trustees, the remaining trustees may appoint a temporary
20 trustee to fill the vacancy until the next annual town meeting of
the Town of Lubec. At that meeting, a trustee must be elected
for the regular term and one to fill the term caused by the
vacancy. Whenever a trustee ceases to be a resident of the
district, the trustee vacates the office of the trustee. The
trustees may also adopt bylaws as necessary for their own
convenience and the proper management of the affairs of the
district and may procure an office and incur expenses as
necessary. The treasurer and the general manager shall furnish
bond in a form and with sureties the trustees approve.'

Further amend the bill by striking out all of section 7.

Further amend the bill by inserting at the end before the summary the following:

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

SUMMARY

This amendment:

1. Modifies the language of the emergency preamble to reflect changes to the bill;
2. Provides that a municipal officer of the Town of Lubec is not eligible to be a trustee of the district but removes the ineligibility for holders of other town offices;
3. Provides that all voters in the district are eligible to vote in trustee elections;
4. Provides that trustee elections are held at the annual town meeting of the Town of Lubec; and
5. Removes the referendum clause from the bill.