

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1419

H.P. 976

House of Representatives, April 4, 1991

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.
Reference to the Committee on Utilities suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative CARROLL of Gray.
Cosponsored by Senator RICH of Cumberland.

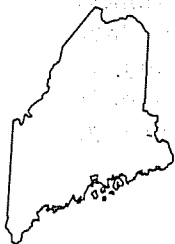
STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

An Act to Amend the Charter of the Gray Water District.

(AFTER DEADLINE)

(EMERGENCY)



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

Whereas, the charter of the Gray Water District currently
provides that trustee elections occur on the same day as the
annual town meeting; and

Whereas, trustees of the Gray Water District serve 5-year
terms that are staggered so that one trustee is elected each year
on the day of the annual town meeting; and

Whereas, the Town of Gray recently changed the date of its
annual town meeting from a date in March to a date in May; and

Whereas, the 5-year term of office of one of the district's
trustees is scheduled to expire in March of this year and will
remain unfilled until a successor is elected at the town's annual
meeting in May; and

Whereas, the term of the other trustees of the Gray Water
District will in subsequent years expire prior to the date of
trustee elections; 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:

P&SL 1929, c. 33, §18, as enacted by P&SL 1931, c. 105, §1, is
amended to read:

Sec. 18. Change in date of election of trustees. From and after
January ~~first, nineteen hundred thirty two,~~ 1, 1932, whenever the
term of office of a trustee of said the Gray Water District
expires, ~~his~~ the trustee's successor shall ~~be~~ is elected for a
term of ~~five~~ 5 years, as provided by section ~~nine~~ 9 of said ~~act~~
the charter, at a special election of the voters of said the
district, to be called and held, ~~however,~~ on the same day as the
annual town meeting ~~rather than on the first Monday of May, as~~
~~now provided by said section nine, and the term of office of the~~
~~trustee which under the present wording of said section, would~~
~~have expired on the first Monday of May, nineteen hundred~~
~~thirty two, shall expire on the date of the said annual town~~
~~meeting in nineteen hundred thirty two, and his successor shall~~
~~be elected to hold office for a term of five years from the date~~
~~of said town meeting.~~ If the date of the annual town meeting is
changed and the change results in the expiration of a trustee's
term of office prior to the new date of the annual town meeting,

2 the expiring term is extended to the new date of the annual town
3 meeting. The result of all elections for such trustees shall
4 must be declared by the moderator presiding at said the meetings,
5 and recorded by the town clerk upon his the town clerk's records,
6 and due a certificate of such the election shall must be filed by
7 the town clerk with the trustees of said the district, ~~and it~~
8 ~~shall be.~~ It is the duty of said the trustees to see that such
9 the certificate is duly entered upon the records of said the
10 district ~~and such.~~ The recorded certificate ~~se-recorded shall be~~
11 is sufficient evidence in all cases of the legality of such the
12 elections.

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

16

18 STATEMENT OF FACT

19 The charter of the Gray Water District provides that trustee
20 elections occur on the same day that the Town of Gray's annual
21 meeting is held. For the last several years, the Town of Gray's
22 annual meeting has been held in March and trustees, who serve for
23 a period of 5 years, have been elected in March of each year.
24 Recently, the Town of Gray changed the date of its annual meeting
25 to May. Changing the date of trustee elections from March of
26 each year to May will cause the terms of previously elected
27 trustees to expire prior to the new date for trustee elections,
28 creating vacancies in these offices. This bill corrects this
29 problem by extending the term of any trustee whose term expires
30 prior to the town's annual meeting.