

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

SECOND REGULAR SESSION-1993

Legislative Document

No. 1580

H.P. 1182

House of Representatives, December 22, 1993

An Act Concerning Municipal Appointments.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.
Received by the Clerk of the House on December 20, 1993. Referred to the Committee on
Utilities and 1200 ordered printed pursuant to Joint Rule 14.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative TARDY of Palmyra.

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

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4 **Sec. 1. 35-A MRSA §6303, sub-§1**, as enacted by PL 1987, c. 141, Pt. A, §6, is amended to read:

6 **1. Authorization.** All of the affairs of a water district shall be managed by an elected board of trustees which shall
8 consist of not less than 3 trustees, but no municipality nor unorganized territory within a water district may have less than
10 one trustee. Trustees shall serve for a term specified in the charter, but not longer than 3 years. A person selected to fill
12 a vacancy on a board of trustees must be a ratepayer from within the district.

14 **Sec. 2. 38 MRSA §1105, next to the last ¶**, as amended by PL 1967, c. 524, §4, is further amended to read:

18 When a vacancy on the board of trustees occurs by reason of death, resignation or otherwise, the municipal officers of the
20 municipality that the trustee represented shall fill the vacancy by electing a trustee who is a ratepayer within the district from
22 the municipality to serve until the municipality shall fill the vacancy at its next annual town meeting or next regular city
24 election. In the case of a vacancy in the office of a trustee representing unorganized territory, the commissioners of the
26 county wherein such unorganized territory is located shall fill the vacancy by electing a trustee who is a ratepayer within the
28 district from such unorganized territory and resident within the boundaries of the sanitary district until the next election of
30 trustees is held. The person so chosen shall serve until his successor is elected and qualified. In case any member of the
32 board of trustees shall remove from the municipality that he represents, or, in the case of a trustee representing unorganized
34 territory, in case such trustee shall remove without the boundaries of the sanitary district, a vacancy shall be declared
36 to exist by the board of trustees, and the municipal officers or the county commissioners, as the case may be, shall thereafter
38 choose another trustee as provided.

40 **Sec. 3. 38 MRSA §1252, sub-§9** is enacted to read:

42 **9. Vacancies.** If a vacancy on the board of trustees occurs because of death, resignation or otherwise, the municipal
44 officers of the municipality that the trustee represented shall fill the vacancy by electing a trustee who is a ratepayer within
46 the district to serve until the vacancy is filled at the next annual town meeting or next regular city election.

STATEMENT OF FACT

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This bill limits appointments made by municipal officials to
fill vacancies in utility districts to ratepayers within that
district.

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This document has not yet been reviewed to determine the
need for cross-reference, stylistic and other technical
amendments to conform existing law to current drafting standards.

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