

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

SECOND REGULAR SESSION-1994

Legislative Document

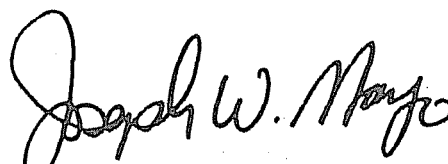
No. 1684

H.P. 1257

House of Representatives, January 11, 1994

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

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.
Reference to the Committee on Utilities suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative RUHLIN of Brewer.
Cosponsored by Senator O'DEA of Penobscot and
Representatives: CAMPBELL of Holden, CASHMAN of Old Town.

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

2
4 **Sec. 1. P&SL 1945, c. 146, §§6 and 7, are amended to read:**

6 **Sec. 6. Board of trustees.** All the affairs of said district
8 shall be managed by a board of 3 5 trustees, residents therein,
10 who shall be appointed by the city council of the city of
12 Brewer. They shall hold office for the term of 3 years and until
14 their respective successors are appointed and qualified, except,
16 however, as hereinafter provided.

18 **Sec. 7. Trustees; how appointed; meetings; officers; vacancies filled**
20 **for the unexpired term.** The first board of trustees shall be
22 appointed within 3 days after the meeting of the voters of said
24 district to accept this act, 1 to serve until the 1st annual
26 meeting of the district, 1 until the 2nd and 1 until the 3rd such
28 meeting. Thereafterward, 1 member shall be appointed by said
30 city council at its 1st regular meeting for the month of March to
32 serve for the term of 3 years. As soon as convenient after the
34 trustees are first appointed the trustees shall hold a meeting at
36 some convenient place in the district to be called by any member
thereof in writing designating the time and place and delivered
in hand to the other 2 4 members not less than 2 full days before
the meeting; provided, however, that they may meet by agreement
without such notice. They shall then organize by the election of
a chairman and clerk from their own number, adopt a corporate
seal and by-laws, and perform any other acts within the powers
delegated to them by law. When necessary they may choose a
treasurer and other needful officers and agents who shall serve
at their pleasure, and whose compensation shall be fixed by said
trustees. The treasurer shall furnish bond in such sum and with
such sureties as they may approve. Members of the board shall be
eligible to any office under the board, but shall not receive any
compensation therefore except as trustees unless authorized by
vote of the city council of the city of Brewer.

38 The compensation of the trustees shall be \$50 each per annum
40 unless otherwise provided by vote as above defined.

42 The trustees shall be sworn to the faithful performance of
44 their duties as such, which shall include the duties of any
member as clerk or clerk pro tem. They shall make and publish an
annual report including a report of the treasurer.

46 **Sec. 2. Election of new members; terms of new members.** The 2
48 new members of the Board of Trustees of the Brewer Water District
50 must be appointed by the city council for the City of Brewer at
its 3rd regularly scheduled meeting following the effective date
of this Act; one for a term expiring in 1995 and one for a term
expiring in 1996. After the initial appointment,

2 each new member holds office for a term of 3 years and until that
member's respective successor is appointed and qualified in
4 accordance with the procedures contained in Private and Special
Law 1945, chapter 146, section 7.

6 **Sec. 3. Acceptance subject to referendum.** This Act must be
submitted to the legal voters within the district at an election
8 called for that purpose and held by December 31, 1994. The
election must be called, advertised and conducted according to
10 the law relating to municipal elections, except that the
registrar of voters is not required to prepare or the clerk to
12 post a new list of voters and, for this purpose, the registrar of
voters must be in session the 3 secular days preceding the
14 election, of which the first 2 days must be devoted to
registration of the voters and the last day to verification of
16 the list and completion of the records of these sessions by the
registrar. The subject matter of this Act is reduced to the
18 following question:

20 "Do you favor amending the charter that created the Brewer
Water District by adding 2 additional members to the Board
22 of Trustees of the Brewer Water District?"

24 The voters shall indicate by a cross or check mark placed
against the words "Yes" or "No" their opinion of the same.

26
28 The results must be declared by the municipal officers of
the City of Brewer and the due certificate of the results filed
by the clerk with the Secretary of State.

30
32 This Act takes effect for all purposes immediately upon its
acceptance by a majority of the legal voters within the district
34 voting at the special election. Failure of the approval by the
necessary majority of voters at any such election does not
36 prevent a subsequent election or elections from being held for
that purpose.

38
40 **STATEMENT OF FACT**

42 This bill increases the number of trustees of the Brewer
Water District from 3 to 5. Expanding the Board of Trustees of
44 the Brewer Water District is necessary to ensure that the
inhabitants of the district are adequately represented.

46
48
50 **This document has not yet been reviewed to determine the
need for cross-reference, stylistic and other technical
52 amendments to conform existing law to current drafting standards.**