

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
117TH LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "A" to H.P. 461, L.D. 627, Bill, "An Act to Amend the Kennebec Water District Charter by Allowing the Town of Vassalboro and the Town of Benton to have a Permanent Member on the Board of Trustees"

Amend the bill by striking out everything after the title and before the statement of fact and inserting in its place the following:

Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, two thirds of all of the members elected to each House have determined it necessary to enact this measure.

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

Whereas, the provisions of this Act are immediately necessary to ensure an orderly transition in the board of trustees of the Kennebec Water District; 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:

2 **Sec. 1. P&SL 1899, c. 200, §5,** as repealed and replaced by P&SL
 4 1987, c. 33, §1, is amended to read:

6 **Sec. 5. Trustees.** All the affairs of the water district shall
 be are managed by a board of trustees composed of 7 8 members.
 8 Two of the trustees shall ~~be~~ are chosen by the municipal officers
 of Waterville, 2 by the municipal officers of Fairfield, 2 by the
 10 municipal officers of Winslow and ~~one shall be appointed by the~~
~~county commissioners of Kennebec County to fill a seat which~~
 12 ~~alternates every 3 years between the residents of the Towns of~~
~~Benton and Vassalboro, one by the town officials of Vassalboro~~
 14 ~~and one by the town officials of Benton. Each trustee from~~
~~Waterville, Fairfield and Winslow has one vote each. Each~~
 16 ~~trustee from Vassalboro and Benton has 1/2 vote each.~~ As soon as
 convenient after the members of the board have been chosen, the
 18 trustees shall hold a meeting at the city rooms in the City of
 Waterville and organize by the election of a president and clerk,
 20 adopt a corporate seal and, when necessary, may choose a
 treasurer and all other necessary officers and agents for the
 22 proper conduct and management of the affairs of the district.
 Whenever the term of office of a trustee expires, the body which
 24 ~~that~~ appointed the trustee shall appoint a successor to serve a
 full term of 3 years; and, in case any other vacancy arises, it
 26 shall must be filled in like manner for the unexpired term. The
 trustees may also ordain and establish such bylaws as necessary
 28 for their convenience and the proper management of the district's
 affairs. The trustees may procure an office and incur such
 30 expenses as may be necessary.

32 The trustees shall are entitled to receive as compensation
 for their services \$20 for each meeting attended and
 34 reimbursement for travel and expenses up to a maximum of \$500 per
 year, unless changed in accordance with the Maine Revised
 36 Statutes, Title 35 35-A, chapter 262 63.

38 The term of office for trustees shall ~~be~~ is 3 years,
 beginning on the first Monday in April as follows: The term ~~of~~
 40 ~~the trustee from the Towns of Benton or Vassalboro shall begin in~~
~~April 1988, with a trustee from Vassalboro and continue with a~~
 42 ~~trustee from Benton beginning in April 1991, continuing to~~
~~alternate between the towns every 3 years thereafter~~ terms of the
 44 ~~trustees from the Town of Benton and the Town of Vassalboro begin~~
in June 1995 and in April every 3 years after 1995; the terms of
 46 one trustee from Waterville, one from Fairfield and one from
 Winslow shall begin in April 1989, and every 3 years thereafter
 48 after 1989; and the terms of one trustee from Waterville, one
 from Fairfield and one from Winslow shall begin in April 1990,
 50 and every 3 years thereafter after 1990. No A person may not

serve more than 2 full terms consecutively without a break in service before reappointment.

Sec. 2. Transition clause. The term of the trustee that alternates between Vassalboro and Benton scheduled to expire in 1997 expires June 1, 1995.

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

Further amend the bill by inserting at the end before the statement of fact the following:

FISCAL NOTE

This bill requires the Kennebec Water District to incur additional costs associated with the addition of one trustee. The additional costs of this state mandate are minor. Pursuant to the Mandate Preamble, the 2/3 vote of all members elected to each House exempts the State from the constitutional requirement to fund 90% of the additional local costs.'

STATEMENT OF FACT

This amendment strikes and replaces the bill. The amendment adds a mandate preamble, an emergency preamble and an emergency clause to the bill. The amendment changes the charter of the Kennebec Water District. Currently, the board of trustees of the district is made up of 7 trustees, one of whom alternates between Vassalboro and Benton. Under this amendment the number of trustees is increased to 8 and Vassalboro and Benton each have a trustee on the board, but the trustees from Benton and Vassalboro each have only a 1/2 vote.

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