

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 627

H.P. 461

House of Representatives, February 23, 1995

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.

Reference to the Committee on Utilities and Energy suggested and ordered printed.

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

JOSEPH W. MAYO, Clerk

Presented by Representative MITCHELL of Vassalboro.
Cosponsored by Senator BUSTIN of Kennebec.

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 P&SL 1899, c. 200, §5, as repealed and replaced by P&SL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
7 ~~shall--be~~ are managed by a board of trustees composed of 7 8
8 members. Two of the trustees ~~shall--be~~ are chosen by the
9 municipal officers of Waterville, 2 by the municipal officers of
10 Fairfield, 2 by the municipal officers of Winslow ~~and--one--shall~~
11 ~~be--appointed--by--the--county--commissioners--of--Kennebec--County--to~~
12 ~~fill--a--seat--which--alternates--every--3--years--between--the--residents~~
13 ~~of--the--Towns--of--Benton--and--Vassalboro,~~ one by the town officials
14 of Vassalboro and one by the town officials of Benton. As soon
15 as convenient after the members of the board have been chosen,
16 the trustees shall hold a meeting at the city rooms in the City
17 of Waterville and organize by the election of a president and
18 clerk, adopt a corporate seal and, when necessary, may choose a
19 treasurer and all other necessary officers and agents for the
20 proper conduct and management of the affairs of the district.
21 Whenever the term of office of a trustee expires, the body ~~which~~
22 ~~that~~ appointed the trustee shall appoint a successor to serve a
23 full term of 3 years; and, in case any other vacancy arises, it
24 ~~shall~~ must be filled in like manner for the unexpired term. The
25 trustees may also ordain and establish such bylaws as necessary
26 for their convenience and the proper management of the district's
27 affairs. The trustees may procure an office and incur such
28 expenses as may be necessary.

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

36 The term of office for trustees ~~shall--be~~ is 3 years,
37 beginning on the first Monday in April as follows: ~~The term--of~~
38 ~~the--trustee--from--the--Towns--of--Benton--or--Vassalboro--shall--begin--in~~
39 ~~April--1988,--with--a--trustee--from--Vassalboro--and--continue--with--a~~
40 ~~trustee--from--Benton--beginning--in--April--1991,--continuing--to~~
41 ~~alternate--between--the--towns--every--3--years--thereafter~~ terms of the
42 trustees from the Town of Benton and the Town of Vassalboro begin
43 in April 1996; the terms of one trustee from Waterville, one from
44 Fairfield and one from Winslow shall begin in April 1989, and
45 every 3 years ~~thereafter~~ after 1989; and the terms of one trustee
46 from Waterville, one from Fairfield and one from Winslow shall
47 begin in April 1990, and every 3 years ~~thereafter~~ after 1990. No
48 A person may not serve more than 2 full terms consecutively
49 without a break in service before reappointment.
50

2 **Sec. 2. Transition clause.** The term of the trustee from
Vassalboro scheduled to expire in 1997 expires in 1996.

4 **Sec. 3. Referendum; effective date.** This Act takes effect when
6 approved only for the purpose of permitting its submission to the
legal voters within the district at an election called for that
8 purpose by December 31, 1995. The election must be called,
advertised and conducted according to the law relating to
10 municipal elections, except that the registrars of voters are not
required to prepare or the clerks to post a new list of voters
12 and, for this purpose, the registrars of voters must be in
session the 3 secular days preceding the election, of which the
14 first 2 days must be devoted to registration of the voters and
the last day to verification of the list and completion of the
16 records of these sessions by the registrars. The subject matter
of this Act is reduced to the following question:

18 "Do you favor amending the charter that created the Kennebec
20 Water District to provide for an additional member on the
board of trustees in order to allow the Town of Vassalboro
and the Town of Benton to each have a permanent member on
22 the Board of Trustees?"

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

26 The results must be declared by the municipal officers of
28 the Town of Waterville, the Town of Fairfield, the Town of
Winslow, the Town of Vassalboro and the Town of Benton and the
30 due certificate of the results filed by the clerks with the
Secretary of State.

32 This Act takes effect for all purposes immediately upon its
34 acceptance by a majority of the legal voters in the district
voting at the special election. Failure of the approval by the
36 necessary majority of voters at any such election does not
prevent a subsequent election or elections from being held for
38 that purpose prior to December 31, 1995.

40 **Sec. 4. Approval not required.** Notwithstanding Private and
Special Laws 1981, chapter 41, section 4, this amendment to the
42 charter does not have to be approved by a majority of the
municipal officers or voters of the municipalities comprising the
44 district prior to its submission to the Legislature.

STATEMENT OF FACT

2

4 This bill amends the charter of the Kennebec Water District
by increasing the number of members on the board of trustees from
7 to 8. By adding this one member, it allows the Town of
6 Vassalboro and the Town of Benton to each have a permanent member
on the board of trustees.