

MAINE STATE LEGISLATURE

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M
R. of S.

L.D. 884

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DATE: April 25, 2001

(Filing No. S- 77)

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UTILITIES AND ENERGY

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**STATE OF MAINE
SENATE
120TH LEGISLATURE
FIRST REGULAR SESSION**

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COMMITTEE AMENDMENT "A" to S.P. 252, L.D. 884, Bill, "An
Act to Revise the Charter of the Ogunquit Sewer District"

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Amend the bill in section 4 in that part designated "Sec. 3."
in the 13th line (page 2, line 32 in L.D.) by striking out the
following: "related thereto to any obligation," and inserting in
its place the following: '~~related-thereto,~~'

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Further amend the bill in section 4 in that part designated
"Sec. 4." in the 2nd and 3rd lines from the end (page 3, lines 33
and 34 in L.D.) by striking out the following: "set forth in the
eminent domain procedures"

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Further amend the bill in section 6 in that part designated
"Sec. 13." by striking out all of the last 2 underlined sentences
(page 5, lines 42 to 47 in L.D.).

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Further amend the bill in section 7 in that part designated
"Sec. 14." by striking out all of the 3rd indented paragraph (page
6, lines 17 to 22 in L.D.) and inserting in its place the
following:

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'The district is managed by a board of trustees, the members
of which are elected at an annual election to be held at the same
time as and in conjunction with the Town of Ogunquit's annual
election. In the event that the Town of Ogunquit does not hold
an annual election, the district shall arrange for an annual

COMMITTEE AMENDMENT

2 election to fill the trustee position that ends in that year and
3 to fill any vacancies in the office of trustee. The trustees
4 serve staggered 3-year terms so that, except in the event of
5 vacancies, only one trustee position is the subject of an annual
6 election. The 3-year term of office for each trustee commences
7 on the date of the district's annual meeting following the
8 trustee's election and ends 3 years later on the day immediately
9 preceding the date of the district's annual meeting.

10 Vacancies in the office of trustee must be filled by
11 appointment by the remaining trustees until the next annual
12 election. If at an annual election there exists a vacancy in an
13 unexpired term, a trustee must be elected to fill the vacancy for
14 the unexpired term and the voters of the district shall cast
15 their ballots as prescribed in this section, voting for as many
16 candidates as there are offices to be filled.'

17 Further amend the bill in section 7 in that part designated
18 "Sec. 14." by striking out all of the 4th indented paragraph (page
19 6, lines 24 to 27 in L.D.) and inserting in its place the
20 following:

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23 'The annual meeting of the district shall must be held on
24 the last Monday of June ~~of each year~~ at such an hour and place as
25 ~~may be~~ designated by resolution of the board of trustees as
26 provided in the bylaws. At the annual meeting of the district,
27 the trustees shall elect a chair, a treasurer and a clerk to
28 serve for the ensuing year and until their successors are elected
29 and qualified.'

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31 Further amend the bill in section 7 in that part designated
32 "Sec. 14." by striking out all of the 8th and 9th indented
33 paragraphs (page 8, lines 11 to 35 in L.D.) and inserting in
34 their place the following:

35 'As soon as convenient after ~~their~~ the election or
36 appointment of a new trustee, the ~~first~~ board of trustees shall
37 hold a meeting at some convenient place in the district, to be
38 called by any member ~~thereof~~ of the board of trustees in writing,
39 designating the time and place and delivered in hand to the other
40 2 members not less than 2 full days before the meeting; ~~provided,~~
41 ~~however,~~ except that they may meet by agreement without such a
42 notice. ~~At this original meeting the trustees shall organize by~~
43 ~~electing from their own members a chairman, a treasurer and a~~
44 ~~clerk and adopting a corporate seal.~~ The trustees may adopt and
45 establish bylaws, consistent with the laws of the State of Maine
46 and the United States, as may be necessary for their own
47 convenience and the proper management of the affairs of the
48 district, and perform any other acts within the powers delegated
49 to them by law.
50

~~Within one week after each annual meeting, the trustees shall meet for the purpose of electing a chairman, treasurer and clerk to serve for the ensuing year and until their successors are elected and qualified.~~ The trustees from time to time may choose and employ, and fix the compensation of, any other necessary officers and agents who shall serve at their pleasure. The treasurer shall furnish bond in such sum and with such sureties as the trustees shall approve, the cost thereof of the bond to be paid by the district.'

Further amend the bill in section 7 in that part designated "Sec. 14." by striking out all of the last indented paragraph (page 9, lines 2 to 9 in L.D.) and inserting in its place the following:

~~'Vacancies in the office of trustee from whatever cause shall be filled by appointment by the remaining trustees until the next annual meeting. If at any annual election there shall exist a vacancy in an unexpired term, a trustee shall be elected to fill such vacancy for such unexpired term, and the voters of the district shall cast their ballots as hereinbefore prescribed, voting for as many candidates as there are offices to be filled.'~~

Further amend the bill in section 8 in that part designated "Sec. 17." in the 31st line (page 9, line 44 in L.D.) by striking out the following: "\$30,000" and inserting in its place the following: '\$30,000 \$100,000'

Further amend the bill in section 10 in that part designated "Sec. 25." in the last indented paragraph in the 3rd and 4th lines (page 16, lines 34 and 35 in L.D.) by striking out the following: "sections 1206 and 1208" and inserting in its place the following: 'section 1206'

SUMMARY

This amendment makes technical corrections to the bill, removes certain language that is redundant given provisions that already apply to the district by operation of general law, clarifies that the district holds its own election to fill trustee positions if the Town of Ogunquit does not hold an annual election, clarifies the terms of office of the trustees, provides that district officers are elected at the annual district meeting and increases the district's debt limit from \$30,000 to \$100,000.