

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)

M
R. G. S.

L.D. 1661

DATE: 4-25-01

(Filing No. H-166)

UTILITIES AND ENERGY

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
120TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1220, L.D. 1661, Bill, "An Act to Amend the Charter of the Portland Water District to Permit the Extension of Water and Wastewater Service to the Town of Raymond"

Amend the bill by inserting after the title and before the emergency preamble 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.'

Further amend the bill by striking out all of section 6 and inserting in its place the following:

'Sec. 6. P&SL 1907, c. 433, §18, 2nd ¶, as amended by P&SL 2001, c. 7, §1, is further amended to read:

Trustees are elected for a term of 5 years at elections as described in this paragraph. Trustees elected from the City of Portland are elected at the City of Portland's regular municipal elections in November. Trustees elected from the City of South Portland, the City of Westbrook, the Town of Cape Elizabeth, the Town of Gorham and the Town of Scarborough are elected at elections on the first Tuesday after the first Monday of November. Trustees elected from the Town of Cumberland, the Town

COMMITTEE AMENDMENT

of Falmouth, the Town of Raymond and the Town of Windham are
elected on the mutually coincident municipal elections within
these towns in the Town of Cumberland, the Town of Falmouth and
the Town of Windham in June, but, if there is not a mutually
coincident municipal election date, then on the 2nd Tuesday of
June. The Town of Raymond shall hold a special town meeting to
elect the trustees on the same day that the Town of Cumberland,
the Town of Falmouth and the Town of Windham hold their
coincident municipal elections to elect the trustees from those
towns. Costs for any trustee election held concurrently with a
federal, state or municipal election are divided between the
municipality and the district. When there is a division of
costs, the district is responsible for the costs proportional to
the total number of offices and referenda issues voted upon at
the election. If an election for a trustee results in a tie
vote, the other trustees shall select the person who becomes a
trustee.'

Further amend the bill by inserting after section 7 the
following:

'Sec. 8. Transition. Trustees of the Portland Water District
elected by a plurality of the voters of the towns of Cumberland,
Falmouth and Windham prior to the effective date of this Act and
serving on the effective date of this Act continue to serve until
their successors are elected and take office in accordance with
this Act.'

Further amend the bill by inserting at the end before the
summary the following:

'FISCAL NOTE

This bill requires the Town of Raymond to hold a special
town meeting. The additional costs of this state mandate are
likely to be relatively 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.'

SUMMARY

This amendment adds a mandate preamble to the bill and a
transition clause relating to the current trustees of the
Portland Water District. The amendment also incorporates a
change made by Private and Special Law 2001, chapter 7 that
changes the date of the regular municipal elections from May to
November. It also adds a fiscal note to the bill.