

MAINE STATE LEGISLATURE

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UTILITIES AND ENERGY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
120TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1413, L.D. 1857, Bill, "An Act to Amend the Charter of the Mount Blue Water District"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

Sec. 1. P&SL 1997, c. 31, §2, is amended by adding at the end a new paragraph to read:

Notwithstanding the Maine Revised Statutes, Title 35-A, section 6410, subsection 5, the treasurer of the district may be a nontrustee hired by the board. The election or hiring of the treasurer must occur within one week after each annual election.

Sec. 2. P&SL 1997, c. 31, §3 is amended to read:

Sec. 3. Number of trustees. The board of trustees of the district is composed of 5 trustees, 4 from of whom must be residents of the Town of Phillips and one from of whom must be a resident of the Town of Avon. Each trustee must be at least 18 years of age, a resident of and must either reside in the district and reside in a household to which the district's service is provided or be a customer of the district. Notwithstanding the Maine Revised Statutes, Title 35-A, section 6410, subsection 7, the trustees and treasurer of the board of trustees receive compensation as recommended by the trustees and approved by a majority of the voters of the district voting at an

2 annual meeting of the district, which may be the organizational
3 meeting required under Title 35-A, section 6410, subsection 5.
4 Compensation schedules in effect on January 1, 2002 remain in
5 effect until changed.

6 **Sec. 3. Retroactivity.** That section of this Act that amends
7 Private and Special Law 1997, chapter 31, section 2 applies
8 retroactively to the effective date of Private and Special Law
9 1997, chapter 31.

10 **Sec. 4. Emergency clause; referendum; effective date.** In view of
11 the emergency cited in the preamble, this Act takes effect when
12 approved only for the purpose of permitting its submission to the
13 legal voters within the district at a special or regular town
14 meeting or election held in the Town of Phillips and the Town of
15 Avon prior to January 1, 2003. The election must be called,
16 advertised and conducted by the respective towns according to the
17 law relating to municipal elections. The registrars shall make a
18 complete list of all the eligible voters. The list prepared by
19 the registrars governs the eligibility of a voter. For the
20 purpose of registration of voters, the registrars of voters must
21 be in session on the secular day next preceding the election.
22 The town clerks shall prepare the required ballots, on which the
23 town clerks shall reduce the subject matter of this Act to the
24 following question:

25 "Do you favor amending the charter of the Mt. Blue Standard
26 Water District to accomplish the following:

- 27
- 28 1. Remove the requirement that the treasurer of the
29 district be a trustee of the district;
 - 30 2. Allow a person who is not a resident of the district but
31 who is a customer of the district to serve as trustee of the
32 district; and
 - 33 3. Require the salary of the treasurer and of the trustees
34 to be subject to approval by the voters in the district
35 voting at a district meeting?"

36
37 The voters shall indicate by a cross or check mark placed
38 against the words "Yes" or "No" their opinion on the question.
39

40
41 The results must be declared by the municipal officers of
42 the Town of Avon and the Town of Phillips and due certificate of
43 the results filed by the town clerks with the Secretary of State.
44

45
46 This Act takes effect immediately upon its acceptance by a
47 majority of the legal voters in the district voting at the
48 election. Failure to achieve the necessary approval in any
49 referendum does not prohibit subsequent referenda consistent with
50

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2 this section as long as the referenda are held by January 1,
2003.'

4
6 **SUMMARY**

8 This amendment clarifies certain language of the bill
10 relating to the hiring of a nontrustee as treasurer of the Mt.
12 Blue Standard Water District and makes this provision retroactive
14 to the effective date of the law creating the district. It also
16 allows a person who does not reside in the district to be a
trustee if the person is a customer of the district. It allows
the trustees to propose the compensation of the trustees and the
treasurer, but makes the proposal subject to approval by the
voters of the district. It makes these changes subject to
referendum approval.