

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. 1568, L.D. 2073, Bill, "An Act to Amend the Charter of the Portland Water District for the Purpose of Redistricting Trustee Representation to Reflect 2000 Census Data"

Amend the bill by inserting after section 1 the following:

'Sec. 2. P&SL 1907, c. 433, §18, 2nd ¶, as amended by P&SL 2001, c. 25, §6, 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 Town of Cape Elizabeth, 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 of Falmouth, the Town of Raymond and the Town of Windham are elected on the mutually coincident municipal elections 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 these towns.~~ The trustee elected from the Town of Cumberland and the Town of Falmouth is elected on a mutually coincident municipal election date in the Town of Cumberland and the Town of Falmouth in June, but, if there is not a mutually coincident municipal election date, then on the 2nd Tuesday of June. The trustee elected from the Town of Raymond and the Town of Windham is

2 elected on the date of municipal elections in the Town of Windham
3 in June. The Town of Raymond shall hold a special town meeting
4 to elect the trustee on the same day that the Town of Windham
5 holds its election to elect the trustee. Costs for any trustee
6 election held concurrently with a federal, state or municipal
7 election are divided between the municipality and the district.
8 When there is a division of costs, the district is responsible
9 for the costs proportional to the total number of offices and
10 referenda issues voted upon at the election. If an election for
11 a trustee results in a tie vote, the other trustees shall select
12 the person who becomes a trustee.

13 **Sec. 3. P&SL 1907, c. 433, §18, 3rd ¶,** as amended by P&SL 2001,
14 c. 25, §7, is further amended to read:

15 All nominations of candidates to be elected from the cities
16 of Portland, ~~South Portland and~~ or Westbrook must be made by
17 nomination papers signed in the aggregate for each candidate by
18 not fewer than 100 nor more than 150 qualified voters of such
19 city. All nominations of candidates to be elected from the area
20 consisting of South Portland and Cape Elizabeth must be made by
21 nomination papers signed in the aggregate for each candidate by
22 not fewer than 35 nor more than 50 of the qualified voters of
23 Cape Elizabeth and not fewer than 100 nor more than 150 qualified
24 voters of the City of South Portland. All nominations of
25 candidates to be elected from Gorham or Scarborough must be made
26 by nomination papers signed in the aggregate for each candidate
27 by not fewer than 35 nor more than 50 of the qualified voters of
28 each of the towns. All nominations of candidates to be elected
29 from the area consisting of either Cape ~~Elizabeth,~~ ~~Scarborough~~
30 ~~and Gorham,~~ or Cumberland, and Falmouth, or Raymond and Windham
31 must be made by nomination papers signed in the aggregate for
32 each candidate by not fewer than 35 nor more than 50 of the
33 voters of each of the towns within that area. Each voter signing
34 a nomination paper shall make the voter's signature in person and
35 add to it the voter's place of residence, and each voter may
36 subscribe to as many nominations as there are trustees to be
37 elected in the voter's area and no more. Nomination papers must
38 be submitted to each municipal clerk of the municipalities in
39 that area coterminously with the municipal filing date.'

40
41 Further amend the bill in section 2 in the last line (page
42 2, line 16 in L.D.) by inserting after the following: "Raymond."
43 the following: 'The trustee elected from the Town of Cumberland,
44 the Town of Falmouth, the Town of Raymond and the Town of Windham
45 in 2002 must be elected on a mutually coincident municipal
46 election date in the Town of Cumberland, the Town of Falmouth and
47 the Town of Windham in June, but, if there is not a mutually
48 coincident municipal election date, then on the 2nd Tuesday of
49 June. The Town of Raymond shall hold a special town meeting to
50

2 elect the trustees on the same day that the Town of Cumberland,
the Town of Falmouth and the Town of Windham hold their
4 coincident municipal elections to elect the trustees from those
towns. All nominations of candidates to be elected from the area
6 consisting of Cumberland, Falmouth, Raymond and Windham must be
made by nomination papers signed in the aggregate for each
8 candidate by not fewer than 35 nor more than 50 of the voters of
each of the towns within that area. Each voter signing a
nomination paper shall make the voter's signature in person and
10 add to it the voter's place of residence, and each voter may
subscribe to as many nominations as there are trustees to be
12 elected in the voter's area and no more. Nomination papers must
be submitted to each municipal clerk of the municipalities in
14 that area coterminously with the municipal filing date.'

16 Further amend the bill by relettering or renumbering any
nonconsecutive Part letter or section number to read
18 consecutively.

20 SUMMARY

22 This amendment makes changes to the charter of the Portland
24 Water District relating to the timing and manner of trustee
elections to make them consistent with the reapportionment of the
district's trustees and adds clarifying language to the portion
26 of the bill dealing with transition.