

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

SECOND REGULAR SESSION-2002

Legislative Document

No. 2073

H.P. 1568

House of Representatives, January 15, 2002

An Act to Amend the Charter of the Portland Water District for the Purpose of Redistricting Trustee Representation to Reflect 2000 Census Data.

(AFTER DEADLINE)

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative McLAUGHLIN of Cape Elizabeth.
Cosponsored by Senator PENDLETON of Cumberland and
Representatives: BLISS of South Portland, CLOUGH of Scarborough, LABRECQUE of
Gorham, USHER of Westbrook.

2 **Emergency preamble. Whereas,** Acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

4 **Whereas,** the Portland Water District is a public municipal
6 corporation organized and existing under the laws of the State;
and

8 **Whereas,** the Portland Water District desires to reapportion
10 its board of trustees to reflect 2000 census data, which will
result in the inhabitants of the district being proportionally
12 represented on the board; and

14 **Whereas,** the Portland Water District desires to have the
changes effective prior to November 2002 to preclude the
16 necessity of special elections in the cities and towns that are
now a part of the district; and

18 **Whereas,** in the judgment of the Legislature, these facts
20 create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
22 necessary for the preservation of the public peace, health and
safety; now, therefore,

24 **Be it enacted by the People of the State of Maine as follows:**

26 **Sec. 1. P&SL 1907, c. 433, §18, first ¶,** as amended by P&SL 2001,
28 c. 25, §5, is repealed and the following enacted in its place:

30 **Sec. 18. Board of trustees.** The affairs of the district are
32 managed by a board of trustees composed of 11 members, 4 of whom
are elected by a plurality of the voters of the City of Portland,
34 2 by a plurality of the voters of the City of South Portland and
the Town of Cape Elizabeth, one by a plurality of the voters of
36 the City of Westbrook, one by a plurality of the voters of the
Town of Gorham, one by a plurality of the voters of the Town of
38 Raymond and the Town of Windham, one by a plurality of the voters
of the Town of Scarborough and one by a plurality of the voters
of the Town of Falmouth and the Town of Cumberland.

40 **Sec. 2. Transition.** Trustees of the Portland Water District
42 elected prior to the effective date of this Act and serving on
the effective date of this Act continue to serve until their
44 successors are elected and take office in accordance with this
Act. When the current trustee's term representing the towns of
46 Cape Elizabeth, Gorham and Scarborough expires in 2002, that seat
must be filled by a person representing the Town of Gorham only.
48 When the current trustee's term representing the towns of Cape
Elizabeth, Gorham and Scarborough expires in 2003, that seat

2 must be filled by a person representing the Town of Scarborough
only. When the current trustee's term representing the City of
4 South Portland expires in 2004, that seat must be filled by a
person representing the City of South Portland and the Town of
6 Cape Elizabeth. When the current trustee's term representing the
City of South Portland expires in 2005, that seat must be filled
8 by a person representing the City of South Portland and the Town
of Cape Elizabeth. When the current trustee's term representing
10 the towns of Cumberland, Falmouth, Windham and Raymond expires in
2006, that seat must be filled by a person representing the towns
12 of Falmouth and Cumberland. The current trustee's term
representing the towns of Cumberland, Falmouth, Windham and
14 Raymond that expires in 2002 must be filled by a person
representing those towns. When that trustee's term expires in
16 2007, the seat must be filled by a person representing the towns
of Windham and Raymond.

18 **Emergency clause.** In view of the emergency cited in the
preamble, this Act takes effect when approved.
20

22 SUMMARY

24 This bill amends the charter of the Portland Water District
to reapportion the 11 trustees among the 10 member communities
26 based on 2000 census data. The reapportionment will be phased in
as the terms of current trustees expire beginning in November
28 2002.