

# MAINE STATE LEGISLATURE

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Date: 3/26/12

L.D. 1834  
(Filing No. H-828)

**ENERGY, UTILITIES AND TECHNOLOGY**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
125TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1354, L.D. 1834, Bill, "An Act To Amend the Boothbay Region Water District Charter"

Amend the bill by inserting after the enacting clause and before section 1 the following:

**'PART A'**

Amend the bill in section 5 in section 5-A in the next to last line (page 2, line 21 in L.D.) by inserting after the following: "trustee." the following: Notwithstanding the Maine Revised Statutes, Title 35-A, section 6410, subsection 3 or any other provision of law, a municipal officer may initially be appointed to serve as a trustee under this section.

Amend the bill in section 7 in the first paragraph in the 2nd line (page 2, line 35 in L.D.) by striking out the following: "Act" and inserting the following: 'Part'

Amend the bill in section 7 in the first paragraph in the 3rd and 4th lines (page 2, lines 36 and 37 in L.D.) by striking out the following: "territory described in section 1 of this Act" and inserting the following: 'Town of Boothbay, the Town of Boothbay Harbor and the Town of Southport'

Amend the bill in section 7 in the first paragraph in the 9th line (page 2, line 42 in L.D.) by striking out the following: "Act" and inserting the following: 'Part'

Amend the bill in section 7 in the first paragraph in the last line (page 3, line 3 in L.D.) by striking out the following: "Act" and inserting the following: 'Part'

Amend the bill in section 7 in the last paragraph in the first line (page 3, line 12 in L.D.) by striking out the following: "Act" and inserting the following: 'Part'

Amend the bill by adding after section 7 the following:

**COMMITTEE AMENDMENT**

R. 4. S. 1

'PART B

2           **Sec. B-1. P&SL 2001, c. 15, §5, sub-§4-A** is enacted to read:

3           **Sec. 4-A. Municipal officers; trustees.** Notwithstanding section 5, subsection 4  
4 and the Maine Revised Statutes, Title 35-A, section 6410, subsection 3, municipal  
5 officers of the towns within the district are eligible for nomination and election as trustees  
6 of the district.

7           **Sec. B-2. Emergency clause; referenda; effective date.** In view of the  
8 emergency cited in the preamble, this Part takes effect when approved only for the  
9 purpose of permitting its submission to the legal voters within the territory of the district.  
10 This Part may be submitted to the legal voters within the Town of Boothbay, the Town of  
11 Boothbay Harbor and the Town of Southport, only if Part A of this Act takes effect  
12 pursuant to the referendum in that Part, at each town's annual election or a special  
13 election called for that purpose within 2 years after the effective date of this Act. The  
14 election must be called by the municipal officers of the respective towns and must be held  
15 at the regular voting places. The election must be called, advertised and conducted  
16 according to the law relating to municipal elections. The registrars shall make a complete  
17 list of all the eligible voters of the district. The list prepared by the registrars governs the  
18 eligibility of a voter. For the purpose of registration of voters, the registrars of voters  
19 must be in session the secular day preceding the election. The subject matter of this Part  
20 is reduced to the following question:

21                           "Do you favor allowing municipal officers of the towns of the Boothbay  
22                           Region Water District to be eligible for nomination and election as  
23                           trustees of the Boothbay Region Water District?"

24           The voters shall indicate by a cross or check mark placed against the words "Yes" or  
25 "No" their opinion of the same.

26           The results must be declared by the municipal officers of the Town of Boothbay  
27 Harbor, the Town of Boothbay and the Town of Southport and due certificate of the  
28 results filed by the clerks with the Secretary of State.

29           This Part takes effect for all purposes immediately upon its approval by a majority of  
30 the legal voters of each town voting at the election. Failure to achieve the necessary  
31 approval in any referendum does not prohibit subsequent referenda consistent with this  
32 section as long as the referenda are held within 2 years of the effective date of this Act.'

33           Amend the bill by relettering or renumbering any nonconsecutive Part letter or  
34 section number to read consecutively.

**SUMMARY**

35  
36           This amendment subjects the eligibility of municipal officers of the towns of the  
37 Boothbay Region Water District to serve as trustees of the district to referendum.