

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 106

H.P. 88

House of Representatives, January 24, 2013

**An Act To Abolish the Trustees of Public Cemeteries for the City of
Waterville**

(EMERGENCY)

Reference to the Committee on State and Local Government suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative LONGSTAFF of Waterville.
Cosponsored by Senator LACHOWICZ of Kennebec and
Representatives: BECK of Waterville, NADEAU of Winslow.

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

3 **Whereas,** the Trustees of Public Cemeteries for the City of Waterville have been
4 understaffed and losing members; and

5 **Whereas,** the Trustees of Public Cemeteries for the City of Waterville are currently
6 being administered by only one part-time employee and one trustee; and

7 **Whereas,** work on the transition to turn the administration of the public cemeteries
8 over to the City of Waterville has been conducted for the past year; and

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

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

14 **Sec. 1. City of Waterville to assume responsibility.** The City of Waterville
15 shall assume responsibility over all public cemeteries located within the City of
16 Waterville formerly assumed by the Trustees of Public Cemeteries for the City of
17 Waterville.

18 **Sec. 2. P&SL 1943, c. 51** is repealed.

19 **Sec. 3. Transition.** The following provisions govern the transition of the powers,
20 duties and functions of the former Trustees of Public Cemeteries for the City of
21 Waterville to the City of Waterville.

22 1. The City of Waterville is the successor in every way to the powers, duties and
23 functions of the former Trustees of Public Cemeteries for the City of Waterville.

24 2. All existing rules, regulations and procedures in effect, in operation or adopted by
25 the former Trustees of Public Cemeteries for the City of Waterville or by any of their
26 administrative units or officers are hereby declared in effect and continue in effect until
27 rescinded, revised or amended by the proper authority.

28 3. All existing contracts, agreements and compacts currently in effect entered into by
29 the former Trustees of Public Cemeteries for the City of Waterville continue in effect.

30 4. Any positions authorized and allocated subject to the personnel laws to the former
31 Trustees of Public Cemeteries for the City of Waterville are transferred to the City of
32 Waterville and may continue to be authorized.

33 5. All records, property and equipment previously belonging to or allocated for the
34 use of the former Trustees of Public Cemeteries for the City of Waterville become, on the
35 effective date of this Act, part of the property of the City of Waterville.

1 6. All proceeds currently deposited in any fund administered by the former Trustees
2 of Public Cemeteries for the City of Waterville must be maintained and administered by
3 the City of Waterville and expended in compliance with any conditions upon which the
4 proceeds were received.

5 **Emergency clause.** In view of the emergency cited in the preamble, this
6 legislation takes effect when approved.

7 **SUMMARY**

8 This bill abolishes the Trustees of Public Cemeteries for the City of Waterville and
9 transfers all duties and responsibilities for the care and upkeep of the public cemeteries in
10 the City of Waterville to the City of Waterville.