

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

Date: 4/27/2017

(Filing No. S-54)

Majority

ENERGY, UTILITIES AND TECHNOLOGY

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE
SENATE
128TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 38, L.D. 90, Bill, "An Act To Amend the Charter of the Rumford Water District"

Amend the bill by striking out everything after the title and before the summary and inserting the following:

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

Sec. 1. P&SL 2015, c. 14, §3 is amended to read:

Sec. 3. Board of trustees. All the affairs of the district must be managed by a board of trustees composed of 3 members who are residents of the district, to be chosen elected by a majority of the municipal officers of the Town of Rumford plurality vote of the voters of the district. Nominations and elections of trustees and the process for filling vacancies on the board of trustees must be conducted in accordance with the Maine Revised Statutes, Title 35-A, section 6410, subsection 1. Notwithstanding the Maine Revised Statutes, Title 35-A, section 6410, subsection 5, the trustees shall when necessary elect a president, clerk, treasurer and all other officers and agents for the proper conduct and management of the affairs of the district. Trustees may adopt a corporate seal. The trustees shall serve staggered 3-year terms, such that one trustee term ends each year. Notwithstanding Title 35-A, section 6410, subsection 4, the term of each trustee ends on the first Monday in August immediately following the end of the term for which that trustee was appointed; elected, except that a trustee shall serve until a successor is appointed elected. Whenever the term of office of a trustee expires, the municipal officers of the Town of Rumford shall appoint a successor to serve the full term of 3 years, and in case any other vacancy arises it must be filled in like manner for the unexpired term. The trustees may also adopt and establish such bylaws as are necessary for their own convenience and the proper management of the affairs of the district. The trustees may procure an office and incur such expenses as may be necessary. Each trustee is entitled to compensation, as recommended by the trustees and approved by a majority of municipal officers of the Town of Rumford, in accordance with Title 35-A, section 6410, subsection 7. At the close of each fiscal year, the trustees shall make a detailed report of their doings, of the receipts and expenditures of the water district, of the

COMMITTEE AMENDMENT

1 water district's financial and physical condition and of such other matters and things  
2 pertaining to the district as demonstrate how the trustees are fulfilling the duties and  
3 obligations of their trust, such reports to be made and filed with the municipal officers of  
4 the Town of Rumford.

5 **Sec. 2. Appointed trustees.** An appointed trustee of the Rumford Water District  
6 serving on the effective date of this Act continues to serve until the trustee's term expires  
7 or until the trustee vacates the position, whichever comes first. The trustee's successor  
8 must be elected in accordance with section 1 of this Act.

9 **Sec. 3. Referendum; effective date.** This Act takes effect when approved only  
10 for the purpose of permitting its submission to the legal voters within the Rumford Water  
11 District at a referendum called for that purpose and held within one year of the effective  
12 date of this Act. The election must be called by the board of trustees of the Rumford  
13 Water District and must be held at the regular voting place. The referendum must be  
14 called, advertised and conducted according to the law relating to municipal elections. The  
15 registrar shall make a complete list of all the eligible voters of the proposed district as  
16 described in this Act. The list prepared by the registrar governs the eligibility of a voter.  
17 For the purpose of registration of voters, the registrar of voters must be in session on the  
18 regular work day preceding the referendum. The subject matter of this Act is reduced to  
19 the following question:

20 "Do you favor changing the process of selecting members of the board of  
21 trustees of the Rumford Water District from appointment by the Board of  
22 Selectpersons to election by a plurality vote of the voters of the district?"

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

25 The results must be declared by the board of trustees of the Rumford Water District  
26 and due certificate of the results filed by the clerk with the Secretary of State.

27 This Act takes effect for all other purposes immediately upon its approval by a  
28 majority of the legal voters of the Rumford Water District voting at the election. Failure  
29 to achieve the necessary approval in any referendum does not prohibit subsequent  
30 referenda consistent with this section as long as the referenda are held within one year  
31 after the effective date of this Act.'

## 32 SUMMARY

33 This amendment is the majority report of the committee, and it strikes and replaces  
34 the bill. The amendment also removes the emergency status from the bill. It allows the  
35 trustees of the Rumford Water District to submit to the legal voters of the district the  
36 question of whether the charter for the district should be amended to require that the legal  
37 voters of the district elect trustees, instead of having trustees appointed by the municipal  
38 officers as the charter currently requires. This amendment specifies that if a referendum is  
39 called it must be called, advertised and conducted according to the law relating to  
40 municipal elections. If the referendum is called and a majority of the legal voters vote to  
41 change the charter to allow for the election of district trustees, the amendment contains  
42 transition language that allows the currently serving appointed trustees to finish out their

COMMITTEE AMENDMENT "~~A~~" to S.P. 38, L.D. 90

1 terms, and any unplanned vacancy is filled through the election process established in the  
2 Maine Revised Statutes, Title 35-A, section 6410, subsection 1.