

# MAINE STATE LEGISLATURE

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# 131st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2023

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Legislative Document

No. 138

H.P. 84

House of Representatives, January 10, 2023

### **An Act Regarding the Terms of Trustees of the Phippsburg Cemetery District**

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

  
ROBERT B. HUNT  
Clerk

Presented by Representative HEPLER of Woolwich.  
Cosponsored by Senator: VITELLI of Sagadahoc.

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

2 **Sec. 1. P&SL 1963, c. 126, §3, first ¶** is amended to read:

3 **Sec. 3. Officers; audit.** All of the affairs of said district shall must be managed by  
4 a board of trustees composed of 5 members. ~~As soon as may be after the acceptance of this~~  
5 ~~act as hereinafter provided, the selectmen of the Town of Phippsburg shall appoint 5~~  
6 ~~trustees of said district to hold office as follows: One until the first annual meeting of the~~  
7 ~~Town of Phippsburg after said appointment, one until the 2nd annual meeting of the Town~~  
8 ~~of Phippsburg after said appointment, one until the 3rd annual meeting of the Town of~~  
9 ~~Phippsburg after said appointment, one until the 4th annual meeting of the Town of~~  
10 ~~Phippsburg after said appointment, and one until the 5th annual meeting of the Town of~~  
11 ~~Phippsburg after said appointment. At each annual town meeting of the Town of~~  
12 ~~Phippsburg, beginning with the first annual meeting after the appointment of trustees by~~  
13 ~~the selectmen, one trustee shall must be elected to serve until the annual meeting occurring~~  
14 ~~5 years thereafter and until another trustee is elected and qualified in his that trustee's stead~~  
15 ~~except that beginning in 2024 one trustee must be elected to serve until the annual meeting~~  
16 ~~occurring 3 years thereafter and until another trustee is elected and qualified in that trustee's~~  
17 ~~stead and, in those years in which the term of more than one trustee is expiring, those~~  
18 ~~trustees must be replaced in the same manner for 3-year terms. Whenever a vacancy shall,~~  
19 ~~for any reason, occur in the board of trustees occurs for any reason, the same shall must be~~  
20 ~~filled for the balance of the unexpired term by a trustee to be appointed by the municipal~~  
21 ~~officers of the Town of Phippsburg. A majority of said trustees chosen shall have has full~~  
22 ~~power to act notwithstanding any vacancy in said board of trustees however caused. When~~  
23 ~~a trustee ceases to be a resident of the district, his that trustee's office becomes vacant. The~~  
24 ~~trustees, as soon as convenient after they have been chosen as provided in this act Act, shall~~  
25 ~~meet upon call of one of their number after such reasonable notice as he shall deem the~~  
26 ~~member who called the meeting considers proper. They shall then elect from their~~  
27 ~~membership a president, clerk and treasurer; adopt a corporate seal; and do all other acts,~~  
28 ~~matters and things necessary to perfect their organization. Thus organized, the trustees~~  
29 ~~shall have the right and authority to employ such officers and agents as they may deem~~  
30 ~~consider necessary for the proper conduct and management of the affairs of the district, and~~  
31 ~~may establish or adopt a code of bylaws, not inconsistent with law, and all necessary rules~~  
32 ~~and regulations for the proper conduct of the affairs of said district.~~

33 **Sec. 2. Transition.** Notwithstanding Private and Special Law 1963, chapter 126,  
34 section 3, those trustees of the Phippsburg Cemetery District serving 5-year terms on the  
35 effective date of this Act shall continue to serve the remainder of their terms.

## 36 SUMMARY

37 This bill reduces the term of the trustees of the Phippsburg Cemetery District from 5  
38 years to 3 years.