



131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

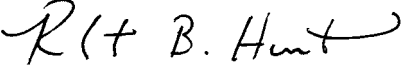
No. 138

H.P. 84

House of Representatives, January 10, 2023

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

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.