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An Act To Amend the Charter of the Lisbon Water Department

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

Whereas, this legislation changes the terms and time of election of the Board of Water Commissioners of the Lisbon Water Department; and

Whereas, the members of the Board of Water Commissioners are to be elected at the annual municipal election, which is held in November; and

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

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

Sec. A-1. P&SL 1903, c. 241, §6, as amended by P&SL 1955, c. 34, §6, is repealed and the following enacted in its place:

Sec. 6. Water commissioners; election, tenure, vacancies, restrictions, salaries. For the purpose of carrying out the provisions of this Act, the Town of Lisbon, at a meeting duly called therefor, may as soon as this Act takes effect, if it so elects, or at anytime thereafter elect by ballot 3 water commissioners, whose duty it is to perform all acts for the town as are necessary and convenient for the full operation of this Act and all affairs of the town in connection with or incidental to the management and operation of the water system. The Board of Water Commissioners consists of 3 water commissioners, all of whom must be residents of the Town of Lisbon and are elected at the annual municipal election for a term of 3 years. The term of a water commissioner elected after July 1, 2006 runs from July 1st of the year following the election to June 30th of the 3rd year following commencement of the term. Until June 30, 2007, the Board of Selectmen and beginning July 1, 2007, the Town Council of the Town of Lisbon shall fill any vacancy in the Board of Water Commissioners occurring by death, resignation, removal of domicile from the Town of Lisbon or other legal cause. When a member of the Board of Water Commissioners ceases to be a resident of the Town of Lisbon, the water commissioner shall vacate the office of the water commissioner and the vacancy must be filled as provided in this section. No other elected officer of the Town of Lisbon is eligible to be elected to or appointed to the Board of Water Commissioners. A member of the Board of Water Commissioners is not eligible to be elected to any other office in the Town of Lisbon. The salary of the members of the Board of Water Commissioners is determined by the Town Council annually by ordinance. Salaries of the water commissioners must be paid from revenues of the Lisbon Water Department.

Sec. B-1. Existing water commissioners; transition. The members of the Board of Water Commissioners of the Lisbon Water Department holding office on the effective date of this Act hold office as water commissioners for the terms for which they were elected. The water commissioner whose term expires at the 2006 annual town meeting is eligible for election at the November 2006 municipal election, and that term is extended until June 30, 2007. The water commissioner whose term expires at the 2007 annual town meeting is eligible for election at the November 2007 municipal election, and that

term is extended until June 30, 2008. The water commissioner whose term expires at the 2008 annual town meeting is eligible for election at the November 2008 municipal election, and that term is extended to June 30, 2009.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

SUMMARY

This bill amends the charter of the Lisbon Water Department. It clarifies the terms of the members of the Board of Water Commissioners.