

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Ensure Transparency and Participation in Maine Water Districts**

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

**Sec. 1. 35-A MRSA §6403, sub-§1, ¶¶D and E**, as enacted by PL 1995, c. 616, §10, are amended to read:

D. ~~The appointing authority responsible for appointing or the method of electing the first board of trustees;~~

E. ~~The terms of the trustees who are elected or appointed subsequent to the first board. Terms may not be longer than 3 years. Terms of the first board are determined pursuant to section 6410, subsection 4; and~~

**Sec. 2. 35-A MRSA §6403, sub-§1, ¶F**, as enacted by PL 1995, c. 616, §10, is repealed.

**Sec. 3. 35-A MRSA §6410, first ¶**, as enacted by PL 1995, c. 616, §10, is amended to read:

~~All of the affairs of a standard district must be managed by a board of trustees whose members must be residents of the district. The number of trustees must be specified in the standard district's charter. After selection of the first board, each trustee is nominated and elected or appointed as provided in the charter creating the standard district and in accordance with subsection 1 or 2, as applicable. If the charter does not indicate whether trustees are appointed or elected, the trustees, after the selection of the first board, must be elected in accordance with subsection 1.~~

**Sec. 4. 35-A MRSA §6410, sub-§2**, as enacted by PL 1995, c. 616, §10, is amended to read:

**2. Standard districts; appointments.** ~~If the charter creating a standard district specifies that the trustees are sufficient and appropriate nominations for election have not occurred, trustees may be appointed, the appointments must be made as provided in the charter.~~

**Sec. 5. 35-A MRSA §6410, sub-§4**, as enacted by PL 1995, c. 616, §10, is amended to read:

**4. Standard districts; first board.** ~~The first board is appointed or elected as provided indicated in the charter creating the standard district or in accordance with this subsection. At the first meeting, the initial trustees shall determine by agreement or, failing to agree, they shall determine by lot the term of office of each trustee. The terms of the trustees must be determined in accordance with the following table.~~

~~The trustees shall enter on their records the determination made. Vacancies are filled pursuant to subsection 1 or 2, as applicable.~~

~~At this original meeting, the trustees shall organize by electing from among their members a chair and a clerk, by adopting a corporate seal and by electing a treasurer who may or may not be a trustee.~~

## **SUMMARY**

This bill removes from the laws governing water districts and standard water districts language referencing the appointment of standard district trustees pursuant to standard district charters. It amends the law regarding appointments of trustees to provide that, if sufficient and appropriate nominations for the election of trustees have not occurred, trustees may be appointed.