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Date: (Filing No. H- )

**ENERGY, UTILITIES AND TECHNOLOGY**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
125TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 657, L.D. 890, Bill, “An Act To Create the Anson and Madison Water District”

Amend the bill by striking out all of sections 4 to 6 and inserting the following:

**Sec. 4. Trustees; how elected; first board; meetings; officers.** All of the affairs of the district must be managed by a board of trustees composed of 7 members: 4 residents of the Town of Madison and 3 residents of the Town of Anson.

**1. First board; nominations and elections.** Notwithstanding any provision in the Maine Revised Statutes, Title 35-A, section 6410, subsections 1, 2, 3 and 4 to the contrary, the nomination, appointment and election of trustees and the appointment and terms of office of the first board of trustees are authorized by this subsection.

The first board of trustees of the district is appointed. Within 30 days after the effective date of this Act, the trustees of the Madison Water District shall appoint 4 trustees who must be residents of the Town of Madison and the trustees of the Anson Water District shall appoint 3 trustees who must be residents of the Town of Anson.

Each trustee appointed from the Town of Madison to the first board serves an initial term specified in the appointment by the trustees of the Madison Water District as follows: one for a term that expires on November 15th of the year that is one year after the year in which the trustee was appointed, one for a term that expires on November 15th of the year that is 2 years after the year in which the trustee was appointed, one for a term that expires on November 15th of the year that is 3 years after the year in which the trustee was appointed and one for a term that expires on November 15th of the year that is 4 years after the year in which the trustee was appointed. Subsequent trustees are elected by vote of the residents of the Town of Madison to 3-year terms in accordance with subsection 3.

Each trustee appointed from the Town of Anson to the first board serves an initial term specified in the appointment by the trustees of the Anson Water District as follows: one for a term that expires on November 15th of the year that is one year after the year in which the trustee was appointed, one for a term that expires on November 15th of the

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1 year that is 2 years after the year in which the trustee was appointed and one for a term  
2 that expires on November 15th of the year that is 3 years after the year in which the  
3 trustee was appointed. Subsequent trustees are elected by vote of the residents of the  
4 Town of Anson to 3-year terms in accordance with subsection 3.

5 **2. Organization; conduct of business.** Except as otherwise expressly provided in  
6 this Act, the organization and powers of the board of trustees must be in accordance with  
7 Title 35-A, chapter 64.

8 Notwithstanding Title 35-A, section 6410, subsection 4, within 30 days after the effective  
9 date of this Act, the trustees shall hold a meeting for the purpose of electing a chair,  
10 treasurer and secretary from among them to serve for one year and until their successors  
11 are elected and qualified.

12 A quorum of the board of trustees consists of 4 members, 2 from the Town of Anson and  
13 2 from the Town of Madison.

14 **3. Terms; eligibility requirements; vacancy.** Notwithstanding any provision in  
15 Title 35-A, section 6410, subsections 1, 3 and 4 to the contrary, the terms of trustees,  
16 eligibility requirements and filling of vacancies are authorized by this subsection. Except  
17 for the first board, trustees from the Town of Madison and the Town of Anson serve  
18 3-year terms. The successor of a trustee who is a resident of the Town of Madison must  
19 be a resident of the Town of Madison elected by the inhabitants of the Town of Madison.  
20 The successor of a trustee who is a resident of the Town of Anson must be a resident of  
21 the Town of Anson elected by the inhabitants of the Town of Anson.

22 When a trustee ceases to be a resident of the town in which the trustee resided when  
23 appointed or elected, the trustee shall vacate the office of trustee and the vacancy must be  
24 filled as provided in this subsection. A trustee is eligible for reelection, but a person who  
25 is a municipal officer of the Town of Madison or the Town of Anson is not eligible for  
26 appointment or for nomination or election as a trustee.

27 When the term of office of a trustee expires, the trustee's successor is elected by a  
28 plurality vote of the voters of the Town of Madison or the Town of Anson, as applicable.  
29 For the purpose of election, a special election must be called and held on the date  
30 established by the trustees. The election must be called by the trustees of the district in  
31 the same manner as town meetings are called and, for this purpose, the trustees are vested  
32 with the powers of municipal officers of towns. A vacancy is filled in the same manner  
33 for the unexpired term by a special election called by the trustees of the district.

34 Nominations and elections of trustees are conducted in accordance with the laws relating  
35 to municipal elections. All elections must be conducted by secret ballot according to  
36 Title 30-A, section 2528.

37 The trustees shall appoint a registrar of voters for the district, who may also be the  
38 registrar of voters for any town within the district, and fix the registrar's salary. It is the  
39 registrar's duty to make and keep a complete list of all the registered voters resident in the  
40 district. The list prepared by the registrar governs the eligibility of a voter. All warrants  
41 issued for elections by the trustees must show that only the voters resident within the  
42 Town of Madison or the Town of Anson, as applicable, are entitled to vote.'

43 Amend the bill in section 7 by inserting at the end the following:

1 'Upon dissolution of the Madison Water District and the Anson Water District, the  
2 trustees of the Anson and Madison Water District shall submit legislation for introduction  
3 to the Legislature to repeal the charters of the Madison Water District and the Anson  
4 Water District.'

5 Amend the bill in section 8 in the question in the 3rd line (page 6, line 10 in L.D.) by  
6 inserting after the following: "Madison Water District" the following: 'and'

7 Amend the bill by relettering or renumbering any nonconsecutive Part letter or  
8 section number to read consecutively.

### 9 SUMMARY

10 This amendment makes the following changes to the bill:

11 1. It provides that the first board of trustees of the Anson and Madison Water District  
12 consists of 7 members, 4 appointed by the trustees of the Madison Water District and 3  
13 appointed by the trustees of the Anson Water District. It also specifies the initial terms of  
14 the trustees;

15 2. It requires the trustees to hold a meeting within 30 days after the effective date of  
16 the bill to elect a chair, treasurer and secretary from among the trustees;

17 3. It provides that subsequent trustees are elected to 3-year terms, 4 members from  
18 the Town of Madison elected by the inhabitants of the Town of Madison and 3 members  
19 from the Town of Anson elected by the inhabitants of the Town of Anson. The elections  
20 are conducted in accordance with municipal election law by secret ballot;

21 4. It eliminates sections of the bill dealing with eminent domain and financing. The  
22 district will be governed by the standard water district laws governing those matters;

23 5. It clarifies that when the district is created and the current Anson Water District  
24 and Madison Water District are dissolved, legislation must be submitted to repeal the  
25 Anson Water District and the Madison Water District charters; and

26 6. It corrects a clerical error in the bill.