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Date: (Filing No. S-)

ENERGY, UTILITIES AND TECHNOLOGY

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**STATE OF MAINE
SENATE
127TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 85, L.D. 216, Bill, “An Act To Amend the Charter of the Hampden Water District”

Amend the bill in section 1 by striking out all of the 2nd paragraph (page 1, lines 16 to 37 in L.D.) and inserting the following:

The term of office of the trustees begins on the 3rd Thursday of January. In the event a vacancy arises in the membership of the board of trustees, the ~~unexpired term of the vacant office must be filled by the Town Council of the Town of Hampden~~ trustees may call and hold a special election to fill the vacancy in the same manner as elections are called and held for expired terms pursuant to this act or the trustees may appoint a person eligible to fill the vacancy. ~~When any trustee ceases to be a resident of the district, the trustee shall vacate the office of trustee and the vacancy must be filled pursuant to this section.~~ The trustees may establish in bylaws particular circumstances under which a vacancy is deemed to be created, including, but not limited to, a trustee's ceasing to be a resident of the district. All trustees are eligible for reelection, but a person holding the office of town councilor or road commissioner in the Town of Hampden is not eligible for nomination or election as trustee. The trustees may procure an office and incur expenses as may be necessary. Notwithstanding the Maine Revised Statutes, Title 35-A, section 6410, subsection 7, the compensation of the trustees and the treasurer of the board of trustees is determined by the board of trustees. At the close of each fiscal year, the trustees shall make a detailed report of their doings, of the receipts and expenditures of the water district, of its financial and physical condition and of any other matters and things pertaining to the district that will show the inhabitants of the district how the trustees are fulfilling the duties and obligations of their trust, such report to be made and filed with the Town Council of the Town of Hampden.'

Amend the bill by adding after section 1 the following:

'Sec. 2. Transition; modification of current terms. The terms of trustees of the Hampden Water District serving on the effective date of this Act are modified in accordance with this section. Before the 3rd Thursday of January 2016, the trustees shall

COMMITTEE AMENDMENT

1 determine by agreement or, failing to agree, they shall determine by lot new terms of
2 office of each trustee as follows:

- 3 1. One trustee's term ends on the 3rd Thursday of January 2017;
- 4 2. Two trustees' terms end on the 3rd Thursday of January 2018; and
- 5 3. Two trustees' terms end on the 3rd Thursday of January 2019.'

6 **SUMMARY**

7 This amendment provides that current terms of the trustees of the Hampden Water
8 District are modified to transition from the current 5-year terms to the 3-year terms
9 established in the bill. The amendment also removes language from the bill and from the
10 district's current charter that defines particular circumstances that create a vacancy in the
11 position of trustee; the amendment authorizes the board of trustees to define in its bylaws
12 particular circumstances under which a vacancy is deemed to be created, such as when a
13 trustee ceases to be a resident of the district.