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Private & Special Law

124th Legislature

First Regular Session

Chapter 22

H.P. 959 - L.D. 1369

An Act To Amend the Charter of the Clinton Water District

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

Sec. 1. P&SL 1945, c. 72, §1, 2nd ¶ is repealed and the following enacted in its place:

The area within the district is to be composed of that part of the town of Clinton bounded and described as follows: Beginning at a point where the Clinton-Benton town line crosses the Sebec River one mile south of Clinton Village; thence northeast to a point crossing Bellsqueeze Road, 1,000 feet south of Hinkley Road intersection; continuing northwest to a point at Morrison Corner where Town House Hill Road meets Battle Ridge Road to Goodrich Road; thence southeasterly along Goodrich Road to Whitten Road; continuing southeasterly, crossing Mutton Lane Road on the southern side of the I-95 overpass; continuing straight to the Sebec River where the Waldo-Kennebec County line crosses the Sebec River; following the Sebec River to the Benton-Clinton line; thence westerly to the point of beginning.

Sec. 2. P&SL 1945, c. 72, §1, 3rd ¶, as amended by PL 1975, c. 461, §8, is repealed.

Sec. 3. P&SL 1945, c. 72, §8 is amended to read:

Sec. 8. Board of trustees. All the affairs of said the district ~~shall be~~ are managed by a board of 3 trustees, resident therein of the district, who ~~shall be appointed by the municipal officers of the town of Clinton~~ are elected at the annual meeting of the water district. They shall hold office as hereinafter provided in the charter and until their respective successors are ~~appointed~~ elected and qualified. ~~Whenever the term of office of a trustee expires, the municipal officers of the town of Clinton shall appoint a successor to serve the full term of 3 years and in case of any other vacancy arising from any cause, it shall be filled in like manner for the unexpired term. When any trustee ceases to be a resident of said the district, his that trustee's office as trustee shall be~~ is declared vacant. During his term of office no selectman A selectperson of said the town of Clinton shall may not serve as a member of the board of trustees of the district while serving as a selectperson.

Sec. 4. P&SL 1945, c. 72, §9 is amended to read:

Sec. 9. Trustees; how elected; meetings; officers; vacancies filled for the unexpired term. The first board of trustees ~~shall~~ must be appointed within 10 days after the acceptance of this act by the voters of said the district, one to serve until the first annual meeting of the district, one until the second, and one until the third such annual meeting. Thereafter, one member shall must be

~~appointed~~ elected at the time of each annual meeting to serve for a term of 3 years. As soon as convenient after their appointment, the trustees first appointed shall hold a meeting at some convenient place in the district, to be called by any member ~~thereof~~ of the board, in writing, designating the time and place, and delivered in hand to the other ~~two~~ 2 members not less than 2 full days before the meeting; ~~provided;~~ however, that they may meet by agreement and waiver without such notice. They shall then organize by the election of a ~~chairman~~ chair and clerk from their own number, adopt a corporate seal and by-laws, and perform any other acts within the powers delegated to them by law. As necessary, they may choose agents and other needful officers who shall serve at their pleasure, and whose compensation ~~shall be~~ is fixed by ~~said~~ the trustees. They shall choose annually a treasurer to serve for a term of ~~1~~ one year; and fix the treasurer's salary, ~~which shall in no case exceed \$200 per year, and fill vacancies in that office.~~ The treasurer shall furnish a bond, issued in such sum by a surety company as the trustees may approve, and the expense of securing the bond is to be borne by the district. Members of the board ~~shall be~~ are eligible to any office under the board, but shall may not receive compensation ~~therefor~~, except as trustee, unless authorized by vote of the municipal officers of the town of Clinton.

The Beginning October 1, 2009, the compensation of the trustees ~~shall not exceed \$50~~ is \$700 each per year, unless otherwise provided by vote, ~~as above defined.~~ Increases in trustee compensation are governed by the Maine Revised Statutes, Title 35-A, section 6410, subsection 7.

The trustees shall must be sworn to the faithful performance of their duties as such, which shall include the duties of any member as clerk or clerk pro tempore. They shall make and publish an annual report, which shall must also contain a report of the treasurer.

Nominations and elections of trustees and provisions for filling vacancies on the board of trustees are governed by the Maine Revised Statutes, Title 35-A, section 6410, subsection 1.

Sec. 5. P&SL 1945, c. 72, §10 is amended to read:

Sec. 10. Annual meeting of district; qualification of voters of district. After the acceptance of this charter and the organization of the board, the annual meeting of the district shall must be held within the district ~~on the 1st Monday of March at a date selected by the trustees,~~ at such hour and place as may be designated by resolution of the board of trustees as provided in the by-laws. Notice ~~thereof~~ of the annual meeting; signed by the ~~chairman~~ chair or clerk of the board, shall must be conspicuously posted in 2 public places within the district, not less than 7 days before the meeting. Special meetings may be called by the board in like manner at any time, and notice of special meetings shall must state the business to be transacted ~~thereat~~ at the meeting. Ten per cent of the voters qualified to vote in such meetings shall ~~constitute~~ constitutes a quorum. ~~If for any reason a legally sufficient annual meeting is not held on the above date, a meeting in lieu thereof may be called in like manner to be held within 2 months from said date.~~

Sec. 6. Transition; trustees in office. Trustees of the Clinton Water District in office on the effective date of this Act may continue in office for the remainder of their terms. When the term of office of a trustee expires, that trustee's successor is elected in accordance with this Act.

Effective September 12, 2009