BAR HARBOR BANKSHARES

Form 10-K/A April 03, 2008

## UNITED STATES SECURITIES AND EXCHANGE COMMISSION WASHINGTON, D.C. 20549

# FORM 10-K/A

Amendment No. 1

X SECURITIES EXCHAN For the fiscal year ended	IGE ACT OF 1934		o(d) OF THE
TRANSITION REPORT SECURITIES EXCHAN For the transition period	IGE ACT OF 1934		• /
	Commission	File Number:	0-13666
BAR HARBOR BAN	KSHARES		
(Exact name of registrant as speci	fied in its charter)		
Maine			01-0393663
(State or other jurisdiction of incorporation or organization P.O. Box 400, 82 Main Bar Harbor, Main	Street	04609-0400	(I.R.S. Employer Identification No.) (207) 288-3314
(Address of principal executive	(Zip C	Code)	(Registrant s telephone number, including area code)
Sec	curities registered pu	rsuant to Section	on 12(g) of the Act:
Title of class Common Stock, \$2.00 par value p		e of exchange of American Sto	on which registered ock Exchange
Securities Act: YES NO _X Indicate by check mark if the Exchange Act: YES NO _	the registrant is not 1 $\underline{X}$	required to file	wn seasoned issuer, as defined in Rule 405 of the reports pursuant to Section 13 or Section 15(d) of orts required to be filed by Section 13 or 15(d) of
indicate of check mark in	10510Hull (1) III	as inco an repo	or to require a to be rifed by bection 15 of 15(d) of

the Securities Exchange Act of 1934 during the preceding 12 months (or for such shorter period that registrant was required to file such reports) and (2) has been subject to such filing requirements for the past 90 days: YES X NO

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Indicate by check mark if disclosure of delinquent filers pursuant to Item 405 of Regulation S-K (Section 229.405 of this chapter) is not contained herein, and will not be contained, to the registrant s knowledge, in definitive proxy or information statements incorporated by reference in Part III of this Form 10-K or any amendment to this Form 10-K. \_\_\_\_

Indicate by check mark whether the registrant is a large accelerated filer, an accelerated filer, a non-accelerated filer or a smaller reporting company. See the definitions of "large accelerated filer," "accelerated filer" and "smaller reporting company" in Rule 12b-2 of the Exchange Act: Large accelerated filer \_\_\_\_ Accelerated filer \_\_\_\_ Non-accelerated filer (do not check if a smaller reporting company) \_\_\_\_ Smaller reporting company \_\_\_\_

Indicate by check mark whether the registrant is a shell company (as defined in Rule 12b-2 of the Exchange Act): YES  $\_\_$  NO  $\underline{\mathbf{X}}$ 

As of June 30, 2007, the aggregate market value of the 2,990,774 shares of Common Stock of the Registrant issued and outstanding on such date, excluding the approximately 53,064 shares held by all directors and executive officers of the Registrant as a group (which does not include unexercised stock options), was \$94,801,037. This aggregate market value is based on the last sale price of \$31.70 per share of the Registrant s Common Stock on June 30, 2007, as reported in *The Wall Street Journal* on July 2, 2007. Although directors of the Registrant and executive officers of the Registrant and its subsidiaries were assumed to be "affiliates" of the Registrant for purposes of this calculation, the classification is not to be interpreted as an affirmation of such status.

Number of shares of Common Stock par value \$2.00 outstanding as of March 3, 2008: 2,978,491

#### **EXPLANATORY NOTE**

We are filing this Amendment No.1 to our Annual Report on Form 10-K previously filed with the Securities and Exchange Commission (the "Commission") on March 17, 2008 (the "Report"), for the purpose of correcting certain inadvertent errors contained in Exhibits 32.1 and 32.2 made in the process of preparing our Report for electronic filing with the Commission. This Amendment No. 1 corrects the signature line on Exhibit 32.2 which inadvertently identified the signing officer as both the "Chief Financial Officer" and "Chief Executive Officer," when in fact the signing officer on Exhibit 32.2 is only the Chief Financial Officer. In addition, we are filing this Amendment No. 1 to the Report to amend both Exhibits 32.1 and 32.2 to delete the last sentence of the first full paragraph of each certification set forth on Exhibits 32.1 and 32.2, as each sentence was inadvertently included in the electronic filing of the respective certifications. We have included corrected Exhibits 32.1 and 32.2 with is Amendment No. 1 to the Report which supersede and replace those Exhibits filed with the original Report. No other information included in the previously filed Report is amended or otherwise updated by this Amendment No. 1 on Form 10-K/A.

**PART IV** 

ITEM 15. EXHIBITS, FINANCIAL STATEMENT SCHEDULES

(a) 3. Exhibits:

The following exhibits are included as part of this Form 10-K/A.

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EXHIBIT NUMBER		
31.3	Certification of Chief Executive Officer	Filed herewith
	under Rule 13a-14/15d-14(a), Form 10-K/A	
31.4	Certification of Chief Financial Officer	Filed herewith
	under Rule 13a-14/15d-14(a), Form 10-K/A	
32.1	Certification of Chief Executive Officer	Filed herewith.
	under 18 U.S.C. Sec. 1350, as amended by	
	Amendment No. 1 to Form 10-K	
32.2	Certification of Chief Financial Officer	Filed herewith.
	under 18 U.S.C. Sec. 1350, as amended by	
	Amendment No. 1 to Form 10-K	
32.3	Certification of Chief Executive Officer	Filed herewith
	under 18 U.S.C. Sec. 1350, Form 10-K/A	
32.4	Certification of Chief Financial Officer	Filed herewith
	under 18 U.S.C. Sec. 1350, Form 10-K/A	

#### **SIGNATURES**

Pursuant to the requirements of Section 13 or 15(d) of the Securities Exchange Act of 1934, the Registrant has duly caused this Amendment No. 1 on Form 10-K/A to be signed on its behalf by the undersigned, thereunto duly authorized.

April 3, 2008 BAR HARBOR BANKSHARES (Registrant)

/s/ Joseph M. Murphy

Joseph M. Murphy President and Chief Executive Officer

Pursuant to the requirements of the Securities Exchange Act of 1934, the following persons have signed this report in the capacities indicated on behalf of the Registrant.

/s/ Thomas A. Colwell	/s/ Joseph M. Murphy	
Thomas A. Colwell	Joseph M. Murphy, Director	
Chairman, Board of Directors	President and Chief Executive Officer	
/s/ Robert C. Carter	/s/ Robert M. Phillips	
Robert C. Carter, Director	Robert M. Phillips, Director	
/s/ Peter Dodge	/s/ Gerald Shencavitz	
Peter Dodge, Director	Gerald Shencavitz	
	EVP, Chief Financial Officer and Treasurer	
/s/ Martha Tod Dudman	/s/ Kenneth E. Smith	
Martha Tod Dudman, Director	Kenneth E. Smith, Director	
/s/ Jacquelyn S. Dearborn	/s/ Constance C. Shea	
Jacquelyn S. Dearborn, Director	Constance C. Shea, Director	

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/s/ Lauri E. Fernald Lauri E. Fernald, Director /s/Clyde H. Lewis Clyde H. Lewis, Director /s/ Gregg S. Hannah Gregg S. Hannah, Director /s/ Scott G. Toothaker Scott G. Toothaker, Director /s/ David B. Woodside David B. Woodside, Director