

# MAINE STATE LEGISLATURE

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**Legislative Document**

**No. 634**

H. P. 428

House of Representatives, February 11, 1959.

Referred to the Committee on Legal Affairs, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Crockett of Freeport by request.

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**STATE OF MAINE**

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-NINE

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**AN ACT to Incorporate the Town of Harpswell Neck.**

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

**Sec. 1. Incorporation.** All that part of the Town of Harpswell, including North Harpswell, Harpswell Center, West Harpswell and South Harpswell, so called, and any islands, lying westerly of the following described line, namely: Beginning at the point of intersection of the town line between said Town of Harpswell and the Town of Brunswick with the center line of Merriconeag or Harpswell Sound, so called; thence in a southwesterly direction along the center line of said Merriconeag or Harpswell Sound and the extension of said center line, to its point of intersection with the southerly boundary of said Town of Harpswell, together with the inhabitants thereof, is hereby incorporated into a town by the name of Harpswell Neck; and said Town of Harpswell Neck is hereby vested with all the powers and privileges and subject to all the duties and obligations incident to other towns of the State.

**Sec. 2. Taxes assessed before this act becomes effective.** The several inhabitants of the Town of Harpswell Neck shall be holden to pay all taxes which have been legally assessed upon them by the Town of Harpswell and the collectors of taxes for said Town of Harpswell are hereby authorized and required to collect and pay over all unpaid taxes to them already committed agreeably to their respective warrants. All moneys now in the treasury of said Town of Harpswell and all sums which shall hereafter be received from taxes heretofore assessed shall be applied to the several purposes for which they were raised.

**Sec. 3. Officers.** The existing town officers and by-laws of the Town of Harpswell shall continue in full force and effect over the geographical area of the Town of Harpswell until the Town of Harpswell Neck is organized pursuant to this act.

**Sec. 4. Apportionment of liabilities and obligations.** The existing liabilities and obligations of the Town of Harpswell shall be borne by said towns in proportion to the valuation of their respective territories as taken by the assessors in April, 1958. All paupers now supported by the aid of the Town of Harpswell shall, after division, be maintained and supported by the town in whose territory they resided when they became paupers. Each town shall henceforth bear all expenses for the care and maintenance of all roads and bridges within its respective limits. The existing surplus of the Town of Harpswell shall be apportioned between said towns in proportion to the valuation of their respective territories as taken by the assessors in April, 1958.

**Sec. 5. Division of property.** All the real property of the Town of Harpswell shall be held and owned by the Town of Harpswell and the Town of Harpswell Neck, respectively, by the town where said property is located. All personal property of the Town of Harpswell shall be held and owned by the town in possession thereof on the date this law becomes effective; subject to the provision, however, that personal property customarily used for the benefit of the property situated in either of said towns shall be the property of said town notwithstanding its geographical location on the date this act becomes effective. Neither town shall be required to pay any consideration to the other in connection with the division of real and personal property herein provided.

**Sec. 6. Town records.** The books and papers and records of the Town of Harpswell which are presently located in West Harpswell shall be retained by the Town of Harpswell Neck, but the Town of Harpswell shall have access to said records. The books and papers and records of the Town of Harpswell which are presently located on Orr's Island in said Harpswell shall be retained by said Town of Harpswell but the Town of Harpswell Neck shall have access to the same.

**Sec. 7. First meeting, how called.** Any justice of the peace in the County of Cumberland may issue his warrant to any legal voter in the Town of Harpswell Neck directing him to notify the inhabitants thereof to meet at a time and place specified in said warrant, giving at least 7 days' notice therefor, for the choice of town officers and to transact such business as towns are authorized to do.

**Sec. 8. Local referendum provided for; procedure of election; form of question; certificate to Secretary of State.** This act shall take effect 90 days after adjournment of the Legislature, only for the purpose of permitting its submission to the legal voters within the territory embraced within the limits of said proposed Town of Harpswell Neck, voting by ballot at an election to be specially called and held for the purpose within 60 days of the effective date of this act. The board of selectmen of the Town of Harpswell shall call said election to be held at a place within said territory and upon a date to be specified in writing by them. Said board of selectmen shall make and provide a

separate check list for such of the voters within said territory as are then legal voters therein, and the call for such election shall be varied accordingly to show that only such voters are entitled to vote therein. Such election shall otherwise be called, advertised and conducted according to the law relating to municipal elections; provided, however, that the selectmen shall not be required to prepare nor the town clerk to post a new check list of voters, and for this purpose said board shall be in session the 2 secular days next preceding such election, the first day thereof to be devoted to the registration of voters and the last day to enable the board to verify the corrections of said list and to complete and close up the records of said sessions.

The town clerk shall prepare the required ballots on which he shall reduce the subject matter of this act to the following question: "Shall the Act to Incorporate the Town of Harpswell Neck, as passed by the 99th Legislature, be accepted?" and the voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same. This act shall take effect for all the purposes hereof immediately upon its acceptance by a majority of the legal voters voting at said special election.

The result of the vote shall be declared by the municipal officers of the Town of Harpswell and due certificate thereof shall be filed by the town clerk with the Secretary of State.