

MAINE STATE LEGISLATURE

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CHAPTER 403

DEORGANIZED PLACES

Sec.

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§ 5701. Debts of towns and school districts therein

Where towns are deorganized by a repeal of their charters, and their liabilities are excepted and reserved by the repealing act, legal service of process to collect such liabilities may be made on any inhabitant of lawful age resident in the territory included in said town, provided there are no legal officers in said territory on whom service can be made. This section extends to school districts in said towns so far as applicable.

R.S.1954, c. 102, § 12; 1959, c. 317, § 66.

§ 5702. Power and authority of State Tax Assessor

Whenever the organization of any town or plantation has been terminated by Act of the Legislature, the powers, duties and obligations relating to the affairs of said town or plantation shall be vested in the State Tax Assessor for not more than 5 years. The State Tax Assessor shall have the authority to sell or otherwise dispose of any property, other than property formerly used or still being used for school purposes, the title of which rests in the town at the time of deorganization or may come to the town subsequent to deorganization. The State Tax Assessor shall have the power and authority to assess taxes any time after the act terminating the organization of the town or plantation becomes operative by making assessment once a year under the laws now relating to the assessment of state taxes in unorganized territory, and the State Tax Assessor shall have the same power and authority to enforce the collection of said taxes as is now provided for the collection of state taxes. All moneys received by virtue of said assessment and collection, or disposal of property, shall be applied to the payment of necessary expenses of the State Tax Assessor in making such assessment, and to the payment of any

obligations of said town or plantation outstanding at the time of termination of its organization, and to the payment of state and county taxes assessed against such town or plantation and for the completion of any public works of said town or plantation already begun. When in the best judgment of said State Tax Assessor final payment of all known accounts against said town, which has been or may be deorganized, has been made, or at the end of said period of 5 years, any funds unexpended, if any exist, shall be deposited by the former town if still in its possession, or by the Treasurer of State if in his possession, with the county commissioners as an off-set against future road taxes in such deorganized town, as already set forth in Title 23, section 4051. If no road maintenance as described exists in said town, said unexpended funds shall be expended on repairs, maintenance or restoration of such town enterprise as may be designated by the State Tax Assessor in his capacity as described in this section.

R.S.1954, c. 102, § 13; 1957, c. 140, §§ 1, 2; 1959, c. 38, § 2.

§ 5703. Cemetery trust funds

The State Tax Assessor shall be authorized to transfer any cemetery trust funds held by the town at the time of deorganization to a cemetery association provided such association is formed under the laws of the State. In the event that no such association exists, he may transfer such funds to the county commissioners. Such funds are to be retained for the purpose of allowing the interest only to be used in the same manner and for the same purposes for which the fund was originally accepted by the deorganized town. In the event that such funds are in the care and custody of the county commissioners and a cemetery association is subsequently formed, the county commissioners shall have the authority to transfer such funds to the cemetery association if they deem it advisable.

R.S.1954, c. 102, § 14.

§ 5704. School funds

When the incorporation of a town is repealed, the care and custody of the school lands therein revert to the Forest Commissioner and he has the same powers in relation thereto which he would have if such town had never been incorporated. The school funds of such town shall be collected and transmitted to the Treasurer of State and by him made a part of the permanent school fund belonging to such township or tract. The commissioner is charged with the duty of enforcing this section, and is authorized

to commence and maintain actions in the name of the State for this purpose.

R.S.1954, c. 36, § 55.

§ 5705. Records surrendered

Whenever any municipality within this State shall become deorganized, the municipality records shall be surrendered, all records of birth, marriage and death to the State Registrar of Vital Statistics at Augusta and all other municipal records to the county commissioners in the county in which the municipality was located.

R.S.1954, c. 102, § 15.

§ 5706. Applicability to deorganization by Legislature

This chapter shall apply to any towns or plantations that may be or may have been deorganized by Act of the Legislature.

R.S.1954, c. 102, § 16.