

MAINE STATE LEGISLATURE

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(EMERGENCY)
FIRST SPECIAL SESSION

ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 1669

H. P. 1340

House of Representatives, January 6, 1970

Committee on Legal Affairs suggested.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Cushing of Bucksport.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
AND SEVENTY

**AN ACT Relating to Duties of Lucerne-in-Maine Village Corporation and
Town of Dedham as to Education of Children.**

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment of the Legislature unless enacted as emergencies; and

Whereas, the Town of Dedham needs to improve its educational program; and

Whereas, needed school improvements cannot be accomplished without this legislation; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. P. & S. L., 1927, c. 43, § 3, amended. Section 3 of chapter 43 of the private and special laws of 1927 is amended to read as follows:

Sec. 3. Town of Dedham relieved from certain duties; same to be assumed by corporation. The Town of Dedham, in said County of Hancock, is hereby relieved from any and all duty to build, repair or maintain roads, streets or ways upon said territory, or within its limits, ~~or to build school houses or to maintain schools for children resident therein, or to transport any such~~

~~children to school~~ or to perform any of the duties for which said village corporation is authorized by section 2 of this Act to raise money, and said town shall not be liable for defects in streets, ways or roads in said village corporation's territory nor for failure to perform any duty from which it is relieved by this Act, but said village corporation shall assume all of said duties and be liable for said defects in said streets, ways and roads and for failure to perform the duties assumed as the Town of Dedham would have been liable except for this Act, **provided, however, that said village corporation shall not be liable to build school houses or to maintain schools for children resident in its territory or to transport any such children to school or to otherwise provide for the education of children resident in the village corporation's territory;** which liability may be enforced under the same conditions, in the same manner and with the same remedies as are provided by law in relation to towns. Neither this section or any of the provisions of this Act shall in any manner be construed to impose on said village corporation any duty or responsibility concerning or with respect to the building, repair or maintenance of the main state highway extending between Bangor, Maine, and Ellsworth, Maine, or to in any manner relieve the Town of Dedham from the duties, responsibilities and liabilities with respect thereto, as existed prior to the passage of this Act and which would exist thereon if this Act had not been passed.

Sec. 2. P. & S. L., 1927, c. 43, § 5, amended. Section 5 of chapter 43 of the private and special laws of 1927, as amended by chapter 57 of the private and special laws of 1947, is further amended to read as follows:

Sec. 5. Apportionment of taxes between town and corporation. The Town of Dedham shall annually pay over to the treasurer of said village corporation out of the taxes collected from the inhabitants and estates within said corporation's territory a sum equal to 45% of all the town taxes, exclusive of **School Administrative District assessments levied upon the Town of Dedham by a School Administrative District** and the state and county tax, collected from said inhabitants and estates.

Sec. 3. Effective date. This Act shall become effective only if the inhabitants of the Town of Dedham vote to join a School Administrative District.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.