

MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 2545

S. P. 920

In Senate, February 28, 1974

Pursuant to Joint Order (H. P. 84) reported by the Committee on Public Lands.

HARRY N. STARBRANCH, Secretary

Presented by Mr. Richardson of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FOUR

**AN ACT to Organize the Mainland Unorganized and Deorganized Territories
of the State into Grand Plantations.**

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

Sec. 1. R. S., T. 1, § 7, amended. Section 7 of Title 1 of the Revised Statutes is amended to read as follows:

§ 7. Division of State

The State is divided into counties, districts, towns, plantations, **grand plantations** and unorganized territory.

Sec. 2. R. S., T. 1, § 72, sub-§§ 13 and 25, amended. Subsection 13 as repealed and replaced by section 1 of chapter 628 of the public laws of 1973 and subsection 25 of section 72 of Title 1 of the Revised Statutes are amended to read as follows:

13. Municipality. "Municipality" shall include cities, towns and plantations, except that "municipality" shall not include plantations in Title 30, chapters 201 to 213, **223, 235 and 239** ~~subchapters IV, V, and VI, chapter 241 and chapter 243 to 245,~~ and unless the contrary is expressed or implied, **grand plantations organized under Title 30, chapter 404.**

25. Town. "Town" includes cities and plantations, **but does not include grand plantations organized under Title 30, chapter 404,** unless otherwise the contrary is expressed or implied.

Sec. 3. R. S., T. 1, § 72, sub-§ 15-A, additional. Section 72 of Title 1 of the Revised Statutes, as amended, is further amended by adding a new subsection 15-A, to read as follows:

15-A. Plantation. "Plantation" does not include grand plantations organized under Title 30, chapter 404, unless the contrary is expressed or implied.

Sec. 4. R. S., T. 12, § 1608, amended. The first sentence of section 1608 of Title 12 of the Revised Statutes, as enacted by section 17 of chapter 616 of the public laws of 1971, is amended to read as follows:

This subchapter, with respect to the annual Maine Forestry District tax and the assessment and collection thereof, shall not be applicable to property in **grand plantations or in the unorganized territory.**

Sec. 5. R. S., T. 12, § 1960, amended. The 2nd paragraph of section 1960 of Title 12 of the Revised Statutes is amended to read as follows:

Petitions stating the conditions affecting the fish, and the regulations which are desired as a remedy, may be addressed to the commissioner by a majority of the municipal or **grand plantation** officers or 25 citizens of the municipality or **grand plantation** in which the waters exist; or if the waters are in unorganized territory, by a majority of the county commissioners in the counties in which said waters exist, or the commissioner may investigate conditions affecting the fish in any waters in any part of the State, and may make such regulations as may be deemed advisable in the manner provided in this section.

Sec. 6. R. S., T. 12, § 2401, sub-§ 3, amended. The first sentence of subsection 3 and the first sentence of the 3rd paragraph of subsection 3 of section 2401 of Title 12 of the Revised Statutes, as repealed and replaced by section 1 of chapter 409 of the public laws of 1971, are amended to read as follows:

For the purpose of issuing licenses, the commissioner may appoint clerks of towns, **managers of grand plantations** or such other agents as he deems necessary and shall determine the period during which they shall act.

The license may be issued to a resident by the clerk or agent in the town or **grand plantation** in which the applicant resides, or if he is domiciled in ~~an~~ unorganized territory, then by the clerk or agent in the nearest town.

Sec. 7. R. S., T. 14, § 812, amended. The 2nd sentence of section 812 of Title 14 of the Revised Statutes, as amended, is further amended to read as follows:

If a person apprehends that a right-of-way or other easement in or over his land may be acquired by custom, use or otherwise by any person, class of persons or the public, he may give public notice of his intention to prevent the acquisition of such easement by causing a copy of such notice to be posted in some conspicuous place upon the premises for 6 successive days in the case of land in the unorganized territory or in a **grand plantation**, by causing a copy of such notice to be recorded in the registry of deeds for the county where his land lies, and such posting or recording shall prevent the acquiring

of such easement by use for any length of time thereafter; or he may prevent a particular person or persons from acquiring such easement by causing an attested copy of such notice to be served by an officer qualified to serve civil process upon him or them in hand or by leaving it at his or their dwelling house, or, if the person to whom such notice is to be given is not in the State such copy may be left with the tenant or occupant of the estate, if any.

Sec. 8. R. S., T. 14, §§ 812-A and 812-B, amended. The first sentences of sections 812-A and 812-B of Title 14 of the Revised Statutes, as enacted by sections 2 and 3 of chapter 450 of the public laws of 1971, are amended to read as follows:

If a person apprehends that his land in **a grand plantation** or the unorganized territory or any interest therein may be dedicated to public use by custom, use or by any act or acts of that person or any persons acting on his behalf, he may give public notice that he has no intent to dedicate his land or any interest therein to public use, by causing a copy of such notice to be recorded in the registry of deeds for the county where the land lies, and such recording shall prevent such dedication.

To satisfy the recording provisions of ~~the foregoing~~ sections 812 and 812-A, with respect to land in **a grand plantation** or the unorganized territory, the notice shall describe the land specifically or by reference to source of title, so as to identify it, and shall not be in the form of a reference to whatever land the person may own in the respective county or township.

Sec. 9. R. S., T. 14, § 814, amended. The last paragraph of section 814 of Title 14 of the Revised Statutes is amended to read as follows:

In roads privately owned in unorganized territory **or in a grand plantation**, notwithstanding the other provisions of this subchapter, no title or interest shall be acquired against the owners thereof by adverse possession, prescription or acquiescence, however exclusive or long continued.

Sec. 10. R. S., T. 20, § 1451, amended. The first sentence of section 1451 of Title 20 of the Revised Statutes, as amended by section 39 of chapter 433 of the public laws of 1969, is further amended to read as follows:

All children between the ages of 5 and 20 years who reside with a parent or legal guardian in **any grand plantation** or unorganized territory within this State shall be entitled to school privileges, which shall be provided ~~under the direction of the commissioner~~ **under Title 30, section 5765** or under such rules and regulations as may be made from time to time by ~~him~~ **the commissioner** and approved by the Governor and Council.

Sec. 11. R. S., T. 20, § 1474, amended. Section 1474 of Title 20 of the Revised Statutes, as amended by section 37 of chapter 571 of the public laws of 1973, is further amended to read as follows:

§ 1474. Payment for school buildings on organization

Whenever any unorganized unit **or township or tract organized as part of a grand plantation** becomes ~~organized~~ incorporated as a town, ~~or plantation~~

such town ~~or plantation~~ shall, within 5 years of the date of said ~~organization~~ **incorporation**, through the commissioner, pay to the Treasurer of State for each school building within its limits erected or remodeled prior to August 20, 1951, a sum to be determined by the commissioner, which sum shall be credited to the General Fund of the State. A record shall be kept by the commissioner of the cost of all such buildings, lots and improvements, which shall be used as a basis for such settlement. Any town ~~or plantation~~ dissatisfied with the sum determined upon by the said commissioner in such case, may, after a vote taken by the town ~~or plantation~~ at a regular or special meeting called for the purpose, appeal to the Governor and Council who shall make the final decision relative thereto.

Sec. 12. R. S., T. 20, § 1476, amended. The last sentence of section 1476 of Title 20 of the Revised Statutes is amended to read as follows:

Whenever a town or plantation becomes deorganized by Act of the Legislature, all school property therein shall become the property of the State ~~and under the charge of the commissioner, the same as other school property in unorganized territory.~~

Sec. 13. R. S., T. 20, § 1476-A, additional. Title 20 of the Revised Statutes is amended by adding a new section 1476-A to read as follows:

§ 1476-A. School property in grand plantations

All school buildings not privately owned in grand plantations are declared to be the property of the State. All repairs, changes or additions to such buildings shall be made in accordance with Title 30, section 5765.

Sec. 14. R. S., T. 21, § 1, sub-§§ 1 and 20, amended. Subsections 1 and 20 of section 1 of Title 21 of the Revised Statutes are amended to read as follows:

1. **Absentee voter.** "Absentee voter" means a person who is unable to cast his ballot in the municipality in which he is registered to vote, for one of the following reasons: Absence from the municipality during the time the polls are open on election day; physical incapacity not adversely affecting his soundness of mind; religious belief which prohibits his doing so; and unreasonable distance from the polls, if he is a resident of a township ~~or a grand plantation~~. A person who is serving a sentence in a jail or penal institution is not an absentee voter.

20. **Municipality.** "Municipality" includes a city, town, ~~or~~ plantation and grand plantation.

Sec. 15. R. S., T. 21, § 5, amended. Section 5 of Title 21 of the Revised Statutes is amended to read as follows:

§ 5. Application to plantations

The provisions of this Title pertaining to towns apply equally to plantations and, except for sections 41 and 42, to grand plantations.

Sec. 16. R. S., T. 21, § 1258, amended. Section 1258 of Title 21 of the Revised Statutes is amended to read as follows:

§ 1258. Personal vote required when possible

A person who has voted by absentee ballot, but who is present in the municipality and ~~able to~~ **who is not on election day an absentee voter as defined in section 1, must vote in person at the voting place on election day ~~must do so.~~**

Sec. 17. R. S., T. 22, § 3025, amended. The first sentence of section 3025 of Title 22 of the Revised Statutes, as enacted by section 2 of chapter 534 of the public laws of 1967, is amended to read as follows:

Whoever finds the body of any person who is supposed to have come to his death by violence or by the action of chemical, thermal or electrical agents, or following abortion, or suddenly when not disabled by recognizable disease or who has come to his death unexplained or unattended, shall immediately notify one of the municipal officers, a police officer or constable if in a city or town; or a member of the board of assessors if in a plantation; **or the manager or a member of the council if in a grand plantation;** and if in an unorganized place, the most readily accessible of such officials in any municipality within the county.

Sec. 18. R. S., T. 22, § 4498, amended. The last sentence of section 4498 of Title 22 of the Revised Statutes, as enacted by section 1 of chapter 470 of the public laws of 1973, is amended to read as follows:

In addition, the Department of Health and Welfare may appoint agents within the **grand plantations and** unorganized townships to administer the program.

Sec. 19. R. S., T. 23, § 451, amended. The first sentences of the first, 2nd, 3rd and 4th paragraphs of section 451 of Title 23 of the Revised Statutes, as amended by section 22 of chapter 593 of the public laws of 1971, are further amended to read as follows:

When the municipal officers of any town or city **or the officers of any grand plantation** deem that any bridge on any main thoroughfare must be built or rebuilt, they may petition the commissioners of the county in which said bridge is or may be built or rebuilt and the department to meet with them for the purpose of examining into and determining whether public convenience and necessity require the building or rebuilding of said bridge.

The municipal officers of the town or city **or the grand plantation officers** together with the county commissioners and the department shall constitute a joint board to determine whether or not the bridge is or may be built on a main thoroughfare, whether or not public convenience and necessity require the building or rebuilding of said bridge and to determine the type of construction and general dimensions.

When the county commissioners of any county deem that any bridge on any main thoroughfare in ~~any the~~ unorganized ~~township territory~~ in said county must be built or rebuilt or deem that any bridge owned and maintained wholly by said county on any main thoroughfare in any town ~~or organized,~~ plantation **or township organized as part of a grand plantation** must be re-

built, they may petition the department for the purpose of forming a joint board composed of said county commissioners and the department.

When the department shall deem that any bridge on any main thoroughfare must be built or rebuilt, it may notify the municipal officers of the town or city, or the officers of the grand plantation, or the county commissioners having jurisdiction of the roads in ~~any~~ the unorganized ~~township~~ territory in which said bridge is located or may be built, and the county commissioners of the county in which said bridge is located or may be built or rebuilt, to meet with it for the purpose of forming a joint board possessing the same powers and prerogatives as a joint board formed in response to a petition emanating from the municipal officers of a town or city.

Sec. 20. R. S., T. 23, § 452, amended. The 4th paragraph of section 452 of Title 23 of the Revised Statutes is amended to read as follows:

Unless otherwise expressed or implied, wherever the word "town" occurs in this subchapter and subchapter I, it shall ~~mean to~~ include towns, cities, organized plantations and ~~unorganized~~ townships within grand plantations.

Sec. 21. R. S., T. 23, § 703, amended. The first sentence of section 703 of Title 23 of the Revised Statutes, as amended by section 1 of chapter 388 of the public laws of 1965, is further amended to read as follows:

Whenever the municipal officers of one or more municipalities, or the officers of a grand plantation or the county commissioners if they are acting in the capacity of municipal officers, and the owner or owners of a ski area open to the general public or the owner or owners of a public industrial development area jointly deem it necessary that a road be constructed in the municipality, grand plantation or unorganized ~~township~~ territory represented by the municipal or grand plantation officers or county commissioners, they may jointly petition the department for the construction of such a road.

Sec. 22. R. S., T. 23, § 703, sub-§ 2, amended. The first sentence of subsection 2 of section 703 of Title 23 of the Revised Statutes, as amended by section 2 of chapter 388 of the public laws of 1965, is further amended to read as follows:

The cost of construction shall be paid 50% from the General Highway Fund, 25% from the municipality ~~and~~ or county if the road is located in whole or in part in a grand plantation or unorganized ~~township or townships~~ territory, and 25% from the owner or owners of the ski area involved or the owner or owners of the industrial development area involved.

Sec. 23. R. S., T. 23, § 703, sub-§ 5, amended. Subsection 5 of section 703 of Title 23 of the Revised Statutes, as amended, is further amended to read as follows:

5. Prerequisite. Before the department shall authorize the construction of the road, the department shall determine that the necessary approval has been obtained from the Land Use Regulation Commission for the proposed development, and that there has been expended in developing the facilities of

the ski area or industrial development area a minimum of \$100,000 or that there are funds in the amount of at least \$100,000 available to be expended in developing the facilities of the ski area or industrial development area within a time to be established by the department.

Sec. 24. R. S., T. 23, § 1005, sub-§ 1, amended. The first paragraph of subsection 1 of section 1005 of Title 23 of the Revised Statutes, as enacted by chapter 490 of the public laws of 1969 and as amended, is further amended to read as follows:

Towns, organized plantations and ~~unincorporated~~ townships **organized as parts of grand plantations** which clear state aid highways and town ways to the satisfaction of the department, and when necessary apply sand, gravel or other materials to a width of not less than 7 feet through the center of the road within a reasonable length of time after surface of the road becomes slippery, shall be reimbursed for the cost thereof on the highways or town ways designated as provided in section 1002, as follows.

Sec. 25. R. S., T. 23, § 1704, amended. The first sentence of section 1704 of Title 23 of the Revised Statutes, as amended by section 22 of chapter 593 of the public laws of 1971, is further amended to read as follows:

The various towns and ~~unorganized~~ townships **organized as parts of grand plantations** in the State shall receive from the fund for the purpose of improving such roads, as the municipal officers of the towns and the county commissioners in consultation with the officers of such grand plantation shall designate, not less than \$200 and such other amounts as they shall be entitled to, figured on the basis of mileage of unimproved roads, including unimproved sections of state aid roads located within their respective limits as compared with the total amount of mileage of unimproved roads within the State, except that in towns where the fund is unexpendable in the judgment of the department, under the limitations of sections 1705 and 1706, no apportionment shall be made, and unexpendable balances shall be lapsed into the Town Road Improvement Fund.

Sec. 25. R. S., T. 23, § 2001, amended. Section 2001 of Title 23 of the Revised Statutes is amended to read as follows:

§ 2001. Organized plantations have same liability and powers as towns

Organized plantations, **except grand plantations organized under Title 30, chapter 404**, have like powers and are subject to like liabilities and penalties as towns, respecting ways. Their assessors have like powers and shall perform like duties as municipal officers of towns, respecting them.

Sec. 26. R. S., T. 23, § 2062, amended. The 3rd sentence of section 2062 of Title 23 of the Revised Statutes is amended to read as follows:

In respect to that part of a highway not situated in any town or plantation required by law to raise money to make and repair highways, the same proceedings shall be had as are now provided ~~by law in case of a petition to lay out, alter or discontinue a highway in places not incorporated under chapter 401.~~

Sec. 27. R. S., T. 23, § 2067, amended. The first sentence of section 2067 of Title 23 of the Revised Statutes, as enacted by chapter 96 of the public laws of 1965, is amended to read as follows:

The county commissioners of any county may lay out, alter or discontinue paths or trails, for pedestrian use only, in the unorganized territory of, **and in the portions of grand plantations located in**, the county which will provide a right of access **over unimproved land** to great ponds or public lots, provided a request therefor is made by petition signed by not less than 40 residents of said county or grand plantation, or upon the request in writing by the officers of the grand plantation.

Sec. 28. R. S., T. 23, § 2953, amended. The last paragraph of section 2953 of Title 23 of the Revised Statutes is amended to read as follows:

The county commissioners may, ~~without petition~~ on petition by a majority of the officers of a grand plantation or on their own initiative, give notice and hold public hearing to close roads for winter in grand plantations or unorganized territory.

Sec. 29. R. S., T. 23, § 3411, amended. The first sentence of the last paragraph of section 3411 of Title 23 of the Revised Statutes, as repealed and replaced by section 13 of chapter 593 of the public laws of 1971, is amended to read as follows:

The county commissioners ~~shall have the same right of petition under this section~~, with respect to roads in grand plantations and unorganized places laid out by them under section 4001, **and the officers of grand plantations, shall have the same right of petition under this section** as have municipal officers of a municipality under the foregoing provisions of this section.

Sec. 30. R. S., T. 23, § 4001, amended. The first sentence of section 4001 of Title 23 of the Revised Statutes is amended to read as follows:

The county commissioners, on petition by a majority of the officers of a grand plantation or as provided in section 2051, may lay out, alter or discontinue a highway on any tract of land in their county not within any town or plantation required to raise money to make and repair highways.

Sec. 31. R. S., T. 23, § 4051, amended. The first sentence of section 4051 of Title 23 of the Revised Statutes is amended to read as follows:

The county commissioners in September or October annually, by one or more of their board, shall make an inspection of all county roads, state and state aid highways and other roads originally located as town roads in the unorganized territory, deorganized towns and tracts of land **and in the portions of grand plantations** in their counties and shall thereupon make an estimate of the amount needed for repairs, cutting bushes, maintenance, snow removal and improvements, so as to comply with provisions of the state highway laws, and to otherwise make them safe and convenient for public travel for the following year and assess thereon not exceeding 3% of the valuation thereof, and shall assess on the county the balance of such amount if such amount of 3% is not sufficient to properly comply with the above requirements.

Sec. 32. R. S., T. 23, § 4052, amended. The first sentence of section 4052 of Title 23 of the Revised Statutes is amended to read as follows:

County commissioners, in case of sudden injury to county roads and bridges in ~~unincorporated townships and tracts of land~~ **unorganized territory or portions of grand plantations** in their counties, or ~~where~~ when said roads and bridges are rendered impassable by snow, may cause them to be repaired or made passable forthwith or as soon as they deem necessary, and may appoint an agent or agents, not members of their own board, to superintend the expenditure therefor, who shall give bond as required in section 4102, if required, the whole expense whereof shall be added to their next assessment on said lands for repairs authorized by section 4051, which assessment shall create a lien upon said lands for the whole amount thereof as effectually as is now provided in relation to repairs on such county roads.

Sec. 32-A. R. S., T. 29, § 1703, amended. The 7th paragraph of section 1703 of Title 29 of the Revised Statutes, as amended, is further amended to read as follows:

The Department of Transportation, in respect to state aid and state aid highways and bridges within city or compact village limits, and municipal officers in respect to all other ways and bridges within such city and compact village limits and the county commissioners in respect to county roads and bridges located in unorganized territory or portions of grand plantations in said county, may grant permits to operate vehicles having a gross weight exceeding the limit of gross weight prescribed in this Title, and all such permits may contain any special conditions or provisions which in the opinion of the grantors are necessary.

Sec. 33. R. S., T. 30, § 1201, repealed and replaced. Section 1201 of Title 30 of the Revised Statutes, as amended, is repealed and the following enacted in place thereof:

§ 1201. Public services in grand plantations

On written request by a majority of the officers of a grand plantation, the county commissioners are authorized to enter into contracts on such terms as they deem fit with one or more persons, associations or municipalities, or to take such other steps as they deem advisable, to provide fire protection, other than forest fire protection, public dumps or cemetery maintenance for portions of such grand plantation within their county as have been designated in writing by said grand plantation officers.

Amounts sufficient to provide such services, but not exceeding for each such contract $\frac{1}{2}$ of 1% of the combined valuations of the townships organized within such portion of such grand plantation, shall be certified and transmitted by the county treasurer to the State Tax Assessor and appropriated from the General Fund to be credited annually on the books of the State to the proper fiscal officer of the appropriate county as provided in Title 36, section 342. All sums paid to counties under this section shall be expended by the county commissioner exclusively for the purposes of providing such services.

Any county commissioner who willfully violates this section shall be punished by a fine of not more than \$100.

Sec. 34. R. S., T. 30, §§ 1202, 1203, 1203-A and 1204, repealed. Section 1202, as amended, section 1203, as enacted by chapter 292 of the public laws of 1969, section 1203-A, as enacted by chapter 126 of the public laws of 1973 and section 1204, as enacted by section 5 of chapter 616 of the public laws of 1971 and as amended, of Title 30 of the Revised Statutes, are repealed.

Sec. 35. R. S., T. 30, § 1901, sub-§ 8-C, additional. Section 1901 of Title 30 of the Revised Statutes, as amended, is further amended by adding a new subsection 8-C to read as follows:

8-C. Plantation. "Plantation" does not include grand plantations organized under chapter 404, unless the contrary is expressed or implied.

Sec. 36. R. S., T. 30, §§ 2452 and 2453, amended. Section 2452, as last repealed and replaced by section 3 of chapter 481 of the public laws of 1965 and section 2453, as last repealed and replaced by section 3 of chapter 481 of the public laws of 1965 and as amended, of Title 30 of the Revised Statutes are amended to read as follows:

§ 2452. Establishment and maintenance

No "automobile graveyard" or "junkyard" shall be established, operated or maintained, or permitted by the owner of any land to be established, operated or maintained, without first obtaining a nontransferable permit from the municipal officers of the municipality wherein said automobile graveyard or junkyard is to be established, operated or maintained, or from the officers of the grand plantation wherein said automobile graveyard or junkyard is to be established, operated or maintained, or from the county commissioners of the county in which said automobile graveyard or junkyard is to be established, operated or maintained in an unorganized territory, which permit shall be valid only until the first day of the year following.

§ 2453. Hearings

Municipal or grand plantation officers or county commissioners as provided for in section 2452 shall, before granting a permit to establish, operate or maintain such automobile graveyard or junkyard, hold a public hearing, notice of which shall be posted at least 7 and not more than 14 days prior to said hearing, in not less than 2 public places in said municipality, grand plantation or unorganized territory, and in one newspaper of general circulation in said municipality, grand plantation or unorganized territory wherein such automobile graveyard or junkyard is to be established, operated or maintained. The municipal or grand plantation officers or county commissioners as provided for in section 2452 shall give written notice of said application to the Department of Transportation by sending a copy of said application not less than 7 and not more than 14 days prior to said hearing, which notice shall be sent by registered mail.

Sec. 37. R. S., T. 30, § 2454, sub-§ 1, amended. The first sentence of subsection 1 of section 2454 of Title 30 of the Revised Statutes, as repealed and

replaced by section 3 of chapter 481 of the public laws of 1965 and as amended, is further amended to read as follows :

No permit shall be granted for an automobile graveyard or junkyard within 600 feet from the nearest edge of the right-of-way of any highway, except those highways incorporated in the Interstate and Primary Systems, if within view from said highway, and except those automobile graveyards or junkyards which shall be kept entirely screened to ordinary view at all times from the said highway by natural objects, plantings or fences which shall be well constructed and properly maintained at a minimum height of 6 feet and acceptable to the municipal or grand plantation officers or county commissioners as provided for in section 2452 and in accordance with the rules and regulations promulgated by the Department of Transportation and so specified in said permit.

Sec. 38. R. S., T. 30, § 2454, sub-§ 2, ¶ A, amended. Paragraph A of subsection 2 of section 2454 of Title 30 of the Revised Statutes, as repealed and replaced by section 3 of chapter 481 of the public laws of 1965 and as amended, is further amended to read as follows :

A. Those automobile graveyards or junkyards which are screened by natural objects, plantings or fences which shall be well constructed and properly maintained at a minimum height of 6 feet and acceptable to the municipal or grand plantation officers or county commissioners as provided for in section 2452 and in accordance with the rules and regulations promulgated by the Department of Transportation and so specified in said permit, or

Sec. 38. R. S., T. 30, § 2454, sub-§ 5, amended. Subsection 5 of section 2454 of Title 30 of the Revised Statutes, as repealed and replaced by section 3 of chapter 481 of the public laws of 1965, is amended to read as follows:

5. Rules and regulations. No permit shall be granted for an automobile graveyard or junkyard that is not in conformity with the rules and regulations promulgated under section 2459; however, municipal or grand plantation officers or county commissioners as provided for in section 2452 may in their discretion apply more stringent restrictions, limitations and conditions in any permit for an automobile graveyard or junkyard adjacent to any highway. Municipal or grand plantation officers may stipulate reasonable conditions which shall be attached to the permit covering the operation, use and other related matters.

Sec. 39. R. S., T. 30, § 3651, amended. The last sentence of section 3651 of Title 30 of the Revised Statutes, as enacted by section 1 of chapter 352 of the public laws of 1971 and as amended by section 38 of chapter 537 of the public laws of 1973, is further amended to read as follows:

In the unorganized townships and grand plantations of the State, the Inspections Division of the Maine Department of Agriculture shall perform the duties of surveyors described in this chapter.

Sec. 40. R. S., T. 30, § 4166-A, additional. Title 30 of the Revised Statutes is amended by adding a new section 4166-A, to read as follows:

§ 4166-A. Organized Townships Fund for grand plantations

The following paragraph shall be in effect until July 1, 1977.

When any township or tract is organized as part of a grand plantation, the income of that portion of the Organized Townships Fund maintained for any such township or tract shall be paid annually by the Treasurer of State to the Department of Educational and Cultural Services. The payment shall be made not less than 60 days prior to the submission by the department of its annual budget request to the Legislature. The department shall credit to such grand plantation, for the support of schooling therein, all of such income or such portion thereof as is sufficient to discharge the costs of schooling in said grand plantation, whichever is less, and any excess shall be returned by the department to the Treasurer of State as promptly as practicable, and shall be credited by the Treasurer of State to the Organized Townships Fund, with each township organized as a part of said grand plantation receiving credit in proportion to the income derived therefrom in any such year.

The following paragraph shall become effective July 1, 1977.

The income of that portion of the Organized Township Fund, maintained for any township or tract organized as part of a grand plantation, shall be paid annually by the Treasurer of State to the manager of such grand plantation, to be applied toward the support of schools in such grand plantation according to the number of scholars in each school, provided that the amount so paid shall not exceed an amount determined by the Commissioner of Educational and Cultural Services to be sufficient to discharge the costs of schooling in said grand plantation, and provided further, that the Treasurer of State shall credit any excess to the Organized Township Fund, with each township organized as part of said grand plantation receiving credit in proportion to the income derived therefrom in any such year.

Sec. 41. R. S., T. 30, §§ 5601 - 5605, 5616 and 5620, repealed. Section 5601, as repealed and replaced by section 1 of chapter 270 of the public laws of 1973, section 5602, as amended by section 2 of chapter 270 of the public laws of 1973, section 5603, section 5604, as amended by section 19 of chapter 425 of the public laws of 1967 and sections 5605, 5616 and 5620 of Title 30 of the Revised Statutes are repealed.

Sec. 42. R. S., T. 30, c. 404, additional. Title 30 of the Revised Statutes is amended by adding a new chapter 404 to read as follows:

CHAPTER 404

GRAND PLANTATIONS

§ 5751. Findings and purposes

For 150 years following the separation of the State of Maine from the Commonwealth of Massachusetts, the public policy of the State to promote the settlement of the vast areas of forest lands now comprising the mainland unorganized and deorganized territories of Maine has been thwarted by a number of factors. Consequently the available institutions of local govern-

ment, suitable for traditional settlements, have not been generally appropriate for use in much of this sparsely settled area; the citizens thereof have thus been deprived of one of the fundamental privileges of citizenship — the opportunity to participate in local government decisions.

In creating the Land Use Regulation Commission and in enacting other legislation relating to the manner in which the unorganized territory is administered, the Legislature recognized that, in addition to encouraging settlement, it is also important to preserve and enhance the recreational, forest product and wildlife resources and the natural and scenic qualities of the area.

The Legislature now finds and declares that a new or modified form of municipal government unit is necessary to accomplish the foregoing objectives and assure sound and equitable governmental administration of the area. The mainland unorganized territory should be organized into new governmental units to:

1. Provide a structure for local citizen participation in decision making concerning their social and economic needs, including educational and cultural services, and affecting the resources of the area about which they have familiarity and concern;
2. Provide for the orderly assumption of responsibilities of local government by the citizens;
3. Provide for more adequate communications between administrative units of government and local residents to help assure that government decisions consider the economic, social and educational needs of the citizens of the area;
4. Promote public health, safety and general welfare;
5. Assure effective and equitable management of the public lands in the area; and
6. Provide a mechanism for the decentralization of governmental functions to increase equity and efficiency.

§ 5752. Grand Plantations

The Legislature authorizes and directs the creation of 8 Grand Plantations to include the following territory:

Grand Plantation I. Townships W.B.K.P.: 4, R. 6; 3, R. 6; 5, R. 5; 4, R. 5; 3, R. 5; 5, R. 4; 4, R. 4; 3, R. 4; 5, R. 3; 4, R. 3; 3, R. 3; 4, R. 2; 4, R. 1; Twp. C; Twp. D; Twp. E; C Surplus Twp.; Andover North Surplus; Andover West Surplus; Twp. #6; TA #2; Perkins Twp.; Washington Twp.; TA #1; Milton Twp.; Batchelders Grant; Mason Twp.; Albany Twp.

Grand Plantation II. Townships W.E.L.S.: 17, R. 5; 17, R. 4; 17, R. 3; 16, R. 8; 16, R. 6; 16, R. 5; 16, R. 4; 15, R. 9; 15, R. 8; 15, R. 6; 15, R. 5; 14, R. 10; 14, R. 9; 14, R. 8; 14, R. 7; 14, R. 6; 14, R. 5; 13, R. 10; 13, R. 9; 13, R. 8; 13, R. 7; 13, R. 5; 12, R. 10; 12, R. 9; 12, R. 8; 12, R. 7; 11, R. 10;

11, R. 9; 11, R. 8; 11, R. 7; 11, R. 4; 10, R. 11; 10, R. 10; 10, R. 9; 10, R. 8; 10, R. 7; 10, R. 6; 10, R. 4; 10, R. 3; 9, R. 11; 9, R. 10; 9, R. 9; 9, R. 8; 9, R. 7; 9, R. 5; 9, R. 4; 9, R. 3; 8, R. 11; 8, R. 10; 8, R. 9; 8, R. 8; 8, R. 6; 8, R. 5; 8, R. 4; 8, R. 3; 7, R. 5; 7, R. 4; 7, R. 3; TD, R. 3; TC, R. 2; Connor Twp.

Grand Plantation III. Townships M.D.: 39; 40; 41; 42; 43; 32; 34; 35; 36; 37; 28; 29; 30; 31; 22; 24; 25; 16; 18; 19. Townships N.D.: 3; 4; 5; 6. Townships E.D.: 27; 26; 19; 18. Townships S.D.: 8; 9; 10; 7. Marion Twp.; Edmunds Twp.; Trescott Twp.

Grand Plantation IV. Townships W.E.L.S.: 5, R. 20; 5, R. 19. Townships N.B.K.P.: 4, R. 5; 3, R. 5; 5, R. 4; 4, R. 4; 3, R. 4; 5, R. 3; 4, R. 3; 3, R. 3; 6, R. 2; 3, R. 2; 6, R. 1; 5, R. 1; 3, R. 1. Townships W.B.K.P.: 1, R. 9; 2, R. 8; 1, R. 8; 2, R. 7; 1, R. 7; 2, R. 6; 1, R. 6; 2, R. 5; 1, R. 5; 2, R. 3; 1, R. 2. Townships B.K.P.W.K.R.: 6, R. 7; 5, R. 7; 4, R. 7; 3, R. 7; 2, R. 7; 5, R. 6; 4, R. 6; 3, R. 6; 2, R. 6; 1, R. 6; 4, R. 5; 3, R. 5; 2, R. 5; 4, R. 4; 3, R. 4; 2, R. 4; 1, R. 4; 4, R. 3; 3, R. 3; 2, R. 3; 1, R. 3; 4, R. 1; 2, R. 1. Townships B.K.P.E.K.R.: 1, R. 6; 1, R. 5; 2, R. 5; 2, R. 4; 2, R. 3; 2, R. 2 (Mayfield). Coburn Gore; Concord Twp.; Salem Twp.; Freeman Twp.; Unity Twp.; Hibberts Gore.

Grand Plantation V. Townships W.E.L.S.: 4, R. 3; TA, R. 2; 3, R. 4; 3, R. 3; 3, R. 2; 2, R. 4; 1, R. 5; TA, R. 5. Townships N.B.P.P.: 8, R. 4; 8, R. 3; 10, R. 3; 11, R. 3; 7, R. 2; 3, R. 1; 5, R. 1; 6, R. 1. Townships T.S.: 1, R. 3; 1, R. 2; 1, R. 1. Silver Ridge Twp.; Kingman Twp.; Brookton Twp.

Grand Plantation VI. Townships W.E.L.S.: 5, R. 18; 5, R. 17; 5, R. 16; 5, R. 15; 5, R. 14; 5, R. 13; 5, R. 12; 4, R. 18; 4, R. 17; 4, R. 16; 4, R. 15; 4, R. 14; 4, R. 13; 4, R. 12; 3, R. 11; 3, R. 15; 3, R. 14; 3, R. 13; 3, R. 12; TX, R. 14; 2, R. 13; 2, R. 12; 2, R. 11; 1, R. 14; 1, R. 13; 1, R. 12; 1, R. 11; TA, R. 14; TA, R. 13; TA, R. 12; TA, R. 11; TA 2, R. 13; TA 2, R. 14; TB, R. 11. Townships N.B.K.P.: 2, R. 4; 1, R. 4; 2, R. 3; 1, R. 3; 2, R. 2; 1, R. 2; 2, R. 1; 1, R. 1. Townships B.K.P.W.K.R.: 1, R. 7. Townships B.K.P.E.K.R.: 2, R. 6; 3, R. 5. Townships N.W.P.: 8, R. 10; 7, R. 10; 7, R. 9; 6, R. 9; 5, R. 9; 4, R. 9; 6, R. 8 (Williamsburg Twp.). Big W; Little W; East Middlesex Canal; Rockwood Strip; Misery Gore; Harford's Point; Orneville Twp.

Grand Plantation VII. Townships W.E.L.S.: 8, R. 7; 7, R. 11; 7, R. 10; 7, R. 9; 7, R. 8; 7, R. 7; 7, R. 6; 6, R. 11; 6, R. 8; 6, R. 7; 6, R. 6; 5, R. 11; 5, R. 8; 5, R. 7; 4, R. 11; 4, R. 8; 4, R. 7; 3, R. 8; 3, R. 7; 2, R. 10; 2, R. 9; 2, R. 8; 2, R. 7; 2, R. 6; 1, R. 10; 1, R. 9; 1, R. 8; 1, R. 7; 1, R. 6; A, R. 10; 4, I.P.; 3, I.P.; TA, R. 8; TA, R. 9; TB, R. 10. Townships N.W.P.: 3, R. 9; 2, R. 9; 2, R. 8; 1, R. 7. Townships N.D.: T. 1. Veazie Gore; Hopkins Academy Grant; Argyle Twp.

Grand Plantation VIII. Townships W.E.L.S.: 6, R. 19; 6, R. 18; 6, R. 17; 6, R. 16; 6, R. 15; 6, R. 14; 6, R. 13; 6, R. 12; 7, R. 19; 7, R. 18; 7, R. 17; 7, R. 16; 7, R. 15; 7, R. 14; 7, R. 13; 7, R. 12; 8, R. 19; 8, R. 18; 8, R. 17; 8, R. 16; 8, R. 15; 8, R. 14; 8, R. 13; 8, R. 12; 9, R. 18; 9, R. 17; 9, R. 16; 9, R. 15; 9, R. 14; 9, R. 13; 9, R. 12; 10, R. 17; 10, R. 16; 10, R. 15; 10, R. 14; 10, R. 13; 10, R. 12; 11, R. 17; 11, R. 16; 11, R. 15; 11, R. 14; 11, R. 13;

11, R. 12; 11, R. 11; 12, R. 17; 12, R. 16; 12, R. 15; 12, R. 14; 12, R. 13; 12, R. 12; 12, R. 11; 13, R. 16; 13, R. 15; 13, R. 14; 13, R. 13; 13, R. 12; 13, R. 11; 14, R. 16; 14, R. 15; 14, R. 14; 14, R. 13; 14, R. 12; 14, R. 11; 15, R. 15; 15, R. 14; 15, R. 13; 15, R. 12; 15, R. 11; 15, R. 10; 16, R. 14; 16, R. 13; 16, R. 12; 16, R. 9; 17, R. 14; 17, R. 13; 17, R. 12; 18, R. 13; 18, R. 12; 18, R. 11; 18, R. 10; 19, R. 12; 19, R. 11; 20, R. 11; 20, R. 12.

§ 5753. Organization of Grand Plantations

The Secretary of State, in consultation with the commissioners of the appropriate counties, shall by warrant direct a responsible resident of each grand plantation to notify the inhabitants thereof qualified to vote for Governor to assemble on a day not later than October 1, 1974 at a place conveniently located in the grand plantation, to choose the grand plantation officers. Notice of such meeting shall be given by the responsible resident by posting an attested copy of the warrant in not less than 10 conspicuous places. Further notice of such meeting shall be given by the Secretary of State by publishing the warrant therefor in local papers of general circulation, by press releases, and by notices in other news media, as he deems appropriate and adequate, to inform the residents thereof. All such notices and postings shall be given or made at least 14 days prior to the meeting.

§ 5754. Organizational meeting; election of council; terms of members

At the time and place designated for the meeting, the resident to whom the warrant was directed shall preside until a moderator is chosen by ballot by the voters present. Thereafter, the moderator shall preside. A council of 7 persons, subject to the same requirements and conditions as are municipal officers under chapter 213, subchapter 1, and as are school committee members under Title 20, section 472, shall be chosen by ballot and sworn in by the moderator or by a justice of the peace. The council members shall hold office for one, 2 and 3 years respectively, in the following manner: The 3 receiving the highest number of votes for 3 years, the 2 receiving the next highest number of votes for 2 years and the 2 receiving the least number of votes for one year, and the moderator shall certify such designation to the manager, when appointed, to be by him recorded. Any vacancy on the council, arising by any of the means stated in section 2253, shall be filled by council appointment and the term of any person so chosen shall expire at the next annual meeting.

§ 5755. Copy of organizational proceedings sent to Secretary of State

Upon the organization of a grand plantation, the moderator of the organizational meeting shall immediately transmit to the Secretary of State, to be by him recorded, a certified copy of all proceedings held in completing such organization, including the warrant issued therefor and the return thereon, and the record of the meeting held in pursuance thereof. Such grand plantation shall be deemed organized upon the recording of such certificate.

§ 5756. Appointment of manager

Within 6 months of the organizational meeting, the council shall select a grand plantation manager from a list of individuals certified by the Depart-

ment of Personnel as meeting the qualifications of that office as prescribed by the department. Notwithstanding the foregoing, the council may appoint an individual to serve as manager; such individual shall serve not more than 2 years without meeting the prescribed qualifications. The term of office and the procedure for removal or suspension of the manager shall be the same as for town managers under section 2313, subsections 1 and 3.

Upon appointment, the manager shall certify his name, mailing address, place of residence and telephone number to the Secretary of State.

The council shall purchase a blanket indemnity bond for the manager of the grand plantation in an amount determined to be sufficient by the council.

§ 5757. Name of grand plantation

At the organizational meeting or at a special meeting called by the council within 6 months thereafter, the voters attending such meeting shall select by majority vote a name for their grand plantation.

§ 5758. Annual meeting

Grand plantations shall hold an annual meeting at which the voters attending shall choose by majority vote the necessary council members to hold office for 3-year terms subject to the requirements of section 5754. Sections 2052, 2053, 2054 and 2056 shall apply to grand plantation meetings as they do to town meetings. The nomination and absentee ballot procedures of sections 2062 and 2067 shall, without the requirement of prior acceptance, apply to grand plantation council elections.

§ 5759. Officers' names sent to Secretary of State

Managers of grand plantations organized under this chapter shall make return to the Secretary of State, on banks furnished by him for that purpose, on or before the 30th day after the close of each annual meeting of such grand plantation, of the names and addresses of the elected officers of the grand plantation and that the same have been sworn.

§ 5760. Duties and powers of council

The council, as officers of the grand plantation, shall exercise only those administrative and executive powers conferred on them by general law. The council shall deal with the administrative services of the grand plantation solely through the manager and shall not give orders to any deputies or subordinates of the manager, either publicly or privately. In addition to duties and powers conferred on the council by general law, it shall:

1. Meet not less than once a month to consider items on an agenda prepared by the manager and other grand plantation matters;
2. Oversee the activities of the manager;
3. Recommend to the manager specifications for him to undertake as the grand plantation's liaison with the state agencies;

4. Serve as the school committee for the grand plantation, as provided in section 5765;

5. Negotiate policies and practices with the relevant land owners of the grand plantation with regard to public access over private roads;

6. Review and approve the biennial budget prepared by the manager and forward said budget to the Treasurer of State in accordance with such guidelines and at such times as the State Budget Officer may establish and

7. Perform any other duties and acts required by legislative enactment.

§ 5761. Duties and powers of manager

The grand plantation manager shall:

1. Be the chief executive and administrative official of the grand plantation for the purpose of carrying out those duties and powers conferred on him by general law;

2. Be responsible to the council for the administration of all grand plantation matters over which the council has control;

3. Prepare and forward to the council members a preliminary agenda for each council meeting at least 7 days prior to the meeting;

4. Act as purchasing agent for all official activities of the grand plantation, except for schooling, provided that the council may require that all purchases greater than a designated amount shall be submitted to sealed bid;

5. Attend all meetings of the council, except when his removal is being considered;

6. Make recommendations to the council for the more efficient operation of the grand plantation;

7. Attend all meetings and hearings of the grand plantation;

8. Keep the council and the residents of the grand plantation informed as to the financial condition of the plantation;

9. Appoint such deputies as he determines are necessary for the carrying out of his grand plantation duties, who shall be responsible to him and serve at his pleasure;

10. Perform the same duties, be subject to the same requirements and be treated in every respect as are clerks of municipalities under Title 7, sections 3401, 3402, 3451 and 3452, Title 11, section 9-401, Title 12, section 2401, subsection 3, Title 19, chapter 1, Title 22, chapters 701, 703, 705 and 707, Title 30, section 2054, and Title 31, chapter 1;

11. Have all the powers, except the power of criminal arrest, as have constables under general law;

12. Account for all moneys received as official grand plantation fees and payments and disperse moneys to the Treasurer of State and under this section, sections 5756, 5763 and 5765 from the grand plantation treasury;

13. Carry out the same duties as do registrars of voters of municipalities under Title 21;

14. Make, maintain and keep current a census, by name, mailing address and place of residence including townships, of all residents in the grand plantation;

15. Make and file a list of all dogs 6 months old and over, owned or kept by any inhabitants on the first day of January of each year, setting the number and sex thereof opposite the names of their respective owners or keepers;

16. Record and file all applications and permits within the grand plantation prepared for and granted by the Department of Inland Fisheries and Game under Title 12, section 2205, the Land Use Regulation Commission and the Department of Environmental Protection;

17. Upon reasonable notice, make the grand plantation records filed under subsections 14, 15 and 16 available to any member of the public for his inspection and use;

18. Act as liaison between the grand plantation and relevant state agencies. In such capacity, he may:

- A. Assist individuals in preparing and transmitting applications;
- B. Act as review agent for applications and proposed plans and standards;
- C. Represent the public interest of residents of the grand plantation at public hearings;
- D. Report apparent violations of land use and environmental laws; and
- E. Perform such other duties as may be mutually agreed upon by such officers and such agencies;

19. Act as or appoint qualified agents to serve as plumbing inspectors for the grand plantation;

20. Aid the Department of Health and Welfare in administering the general assistance program within the grand plantation; and

21. Prepare and submit to the council the budget requirements for each biennium.

§ 5762. Manager's salary and fees

The manager shall be paid an annual salary by the Treasurer of State from the General Fund. The amount of the salary shall be in accordance with a salary schedule to be established by the Department of Personnel for each grand plantation.

The manager of a grand plantation and his deputies shall charge the same fees for their services as do municipal clerks under section 2352. All fees

received by the manager shall accrue to the grand plantation. Fees received by deputies shall be retained by them.

§ 5763. Grand plantation expenses

Reasonably necessary expenses incurred by the manager in carrying out his duties or by others on behalf of the grand plantation, when certified by the manager, shall be paid by the Treasurer of State from the General Fund, such expenses not to exceed an amount fixed by the council and approved by the Treasurer of State.

§ 5764. Accounting and post audit provisions

Grand plantations shall be subject to the extent applicable to the accounting and audit provisions of sections 5251 to 5254 and 5256.

§ 5765. Schooling in grand plantations

The following paragraph and subsections 1 to 5 are effective until July 1, 1977.

Title 20, chapter 119, relating to schooling within the unorganized territories shall apply to schooling in grand plantations, except that:

1. Duties of school committee. The school committee of a grand plantation shall exercise guidance and supervision regarding schooling for such grand plantation, in accordance with the regulations with regard thereto issued by the Commissioner of Educational and Cultural Services. Should a grand plantation fail to elect a council or should the council of a grand plantation fail to act as a school committee, the Commissioner of Educational and Cultural Services shall provide for the education of students in that grand plantation in the same manner as he does for unorganized territory students.

2. Superintendent of schools. The Commissioner of Educational and Cultural Services shall appoint one superintendent of schools for all 8 grand plantations who shall serve in this office in the same capacity as public school superintendents under the general law.

3. Bills. All bills must be approved for payment by the superintendent of schools and reviewed by the school committee. A copy of each payroll shall be filed with the commissioner.

4. Budget. A biennial budget shall be drawn up by the superintendent and the school committee for each grand plantation and forwarded to the Commissioner of Educational and Cultural Services for his consideration and recommendation before being submitted to the Legislature. Execution of the budget must be carried out within the funds made available and in accordance with the laws governing fiscal responsibility.

5. Training program. At such time as said school committees are officially constituted, the Department of Educational and Cultural Services shall conduct a program of training and orientation leading to transfer of further authority and responsibilities on July 1, 1977.

Subsections 6 to 10 shall become effective on July 1, 1977.

6. School committee. The school committee of a grand plantation shall provide educational and cultural services for its residents. It shall be the responsibility of the school committee to approve all programs, expenditures of funds and procurement of personnel in accordance with the general law applying to public schools. Should any grand plantation fail to elect a council or should the council fail to act as school committee, the Commissioner of Educational and Cultural Services shall provide for the education of students in that grand plantation in the same manner as he does for unorganized territory students.

7. Superintendent of schools. The school committee shall, with the approval of the Commissioner of Educational and Cultural Services, select a superintendent of schools, whose duties shall be the same as public school superintendents under general law. The school committee shall determine the terms of employment for the superintendent, including compensation and length of contract, subject to the approval of the Commissioner of Educational and Cultural Services.

8. Administration. The school committee shall employ its own personnel and establish and operate a system of fiscal and personnel procedures in accordance with the general law as it applies to administrative units.

9. Expenditures. All expenditures must be authorized by the school committee. All bills and payrolls must be approved for payment by the superintendent of schools before being paid by the grand plantation manager. The State Controller shall forward monthly to the manager such sums as may be requested by him, the total not to be in excess of the sum appropriated. The execution of the budget must be carried out within the funds made available in accordance with the laws governing fiscal responsibility.

10. Budget. The biennial budget shall be drawn up by the superintendent and the school committee and forwarded to the Commissioner of Educational and Cultural Services for his consideration and recommendation before being submitted to the Legislature.

§ 5766. Grand plantation as body corporate

The residents of a grand plantation are a body corporate, which may sue and be sued, appoint attorneys and adopt a seal.

§ 5767. Gifts of money or property

A grand plantation may receive money or other property in trust for any specified grand plantation, benevolent, religious or educational purpose in the same manner as may municipalities under section 1903.

§ 5768. Taxation in grand plantations

The State Tax Assessor shall, within 60 days of the organization of each grand plantation, as funds become available, appoint for each grand plantation one property assessment advisor whose primary responsibility will be to

act as appraiser for that grand plantation. Such property assessment advisor shall be entitled to the assistance of the grand plantation council and manager in carrying out his duties.

§ 5769. Areas included in grand plantations

Any area of the State which deorganizes shall become a part of that grand plantation selected by the voters of such area, subject to the approval of the Legislature.

§ 5770. Municipal law applicable

Where this chapter is silent as to procedures and duties relating to grand plantations and grand plantation officers, the general law relating to municipalities shall apply.

Sec. 43. R. S., T. 32, § 255, amended. The first sentence of the last paragraph of section 255 of Title 32 of the Revised Statutes is amended to read as follows:

If such auction sale is to be conducted in an unorganized township ~~or in a~~, a grand plantation or plantation, the application to conduct such sale shall be directed to the Secretary of State, and the same information required to be furnished to the clerk of a city or town for a local license shall be furnished to the Secretary of State, together with the same fee of \$5, who thereupon may issue such license for such auction sale.

Sec. 44. R. S., T. 36, § 302, amended. Section 302 of Title 36 of the Revised Statutes, as enacted by section 10 of chapter 620 of the public laws of 1973, is amended to read as follows:

§ 302. Unorganized territories

The Bureau of Property Taxation shall be responsible for the performance of the assessing function in the unorganized territory and grand plantations of the State and this ~~territory~~ area shall constitute a single assessing district.

Sec. 45. R. S., T. 36, § 342, amended. The first and last sentences of section 342 of Title 36 of the Revised Statutes are amended to read as follows:

Notwithstanding any other statute to the contrary, the gross amount of property taxes assessed upon real and personal property in the unorganized territory and grand plantations of the State through the State Tax Assessor for the benefit of any special fund or political subdivision of the State may be credited on the books of the State to the special fund or to the proper fiscal officer of the political subdivision.

The intent of the Legislature is to permit the administration of all real and personal property taxes in the unorganized territory and grand plantations of the State through the General Fund as a matter of convenience and economy.

Sec. 46. R. S., T. 36, § 381, amended. The first sentence, as amended, and the 3rd sentence of section 381 of Title 36 of the Revised Statutes are further amended to read as follows:

A statement of the amount of the assessed valuation for each town, township ~~organized as part of a grand plantation~~ and lot or parcel of land in any ~~un-~~~~organized~~ township ~~organized as part of a grand plantation~~ and lot or parcel of land not included in any township, after adjustment as provided by section 208, the aggregate amount for each county, and for the entire State as fixed by the State Tax Assessor, shall be certified by the State Tax Assessor and deposited in the office of the Secretary of State as soon as completed, and before the first day of February of the regular sessions of the Legislature. If any owner or owners of an ~~unorganized~~ township ~~organized as part of a grand plantation~~, or a lot or parcel of land in any ~~unorganized~~ township ~~organized as part of a grand plantation~~, or lot or parcel of land not included in any ~~unorganized~~ township, in either case with or without improvements, or right to cut timber and grass from public reserved lots in any township, who has filed the list and answered any and all interrogatories addressed to him under section 1181, shall deem himself or themselves aggrieved by the assessed valuation certified and deposited as provided, he or they may appeal therefrom to the Superior Court for the county within which said lands or interests therein are located.

Sec. 47. R. S., T. 36, § 455, amended. The last paragraph of section 455 of Title 36 of the Revised Statutes, as enacted by section 4-A of chapter 592 of the public laws of 1973, is amended to read as follows:

In organized areas **and in grand plantations** the tax provided by this section shall be assessed and collected by the State Tax Assessor.

Sec. 48. R. S., T. 36, § 573, sub-§ 1, amended. Subsection 1 of section 573 of Title 36 of the Revised Statutes, as enacted by section 8 of chapter 616 of the public laws of 1971, is amended to read as follows:

1. **Assessor.** "Assessor" means the State Tax Assessor with respect to the unorganized territory **and grand plantation of the State**, and the respective municipal assessors with respect to the ~~organized areas~~ **municipalities**.

Sec. 49. R. S., T. 36, § 578, sub-§ 2, amended. The first 2 sentences of subsection 2 of section 578 of Title 36 of the Revised Statutes, as enacted by section 8 of chapter 616 of the public laws of 1971, are amended to read as follows:

The State Tax Assessor shall adjust the 100% valuation per acre for each type for each county by such ratio or percentage as is then being used to determine the state valuation applicable to other property in the unorganized territory **and grand plantations of the State** to obtain the assessed value. Commencing April 1, 1973, forest land in the unorganized territory **and grand plantations** subject to taxation under this subchapter shall be taxed at the state property tax rate provided in section 451, applicable to other property in the unorganized territory **and grand plantations**, which rate shall be applied to the assessed values so determined.

Sec. 50. R. S., T. 36, § 581-B, amended. Section 581-B of Title 36 of the Revised Statutes, as enacted by section 13 of chapter 308 of the public laws of 1973, is amended to read as follows:

§ 581-B. Reclassification and withdrawal in unorganized territory, grand plantations

In the case ~~of~~ of reclassification or withdrawal of forest land in the unorganized territory or in grand plantations, the State Tax Assessor shall make such supplementary assessments or abatements as may be necessary to carry out this subchapter.

Sec. 51. R. S., T. 36, § 586, sub-§ 4, amended. Subsection 4 of section 586 of Title 36 of the Revised Statutes, as enacted by chapter 548 of the public laws of 1971, is amended to read as follows:

4. Planning board. "Planning board" means a planning board created for the purpose of planning in any municipality or the Maine Land Use Regulation Committee in the unorganized territory **and in grand plantations.**

Sec. 52. R. S., T. 36, § 1147, amended. Section 1147 of Title 36 of the Revised Statutes, as enacted by section 15 of chapter 616 of the public laws of 1971, is amended to read as follows:

§ 1147. Unorganized territory; grand plantations

The State Tax Assessor shall determine annually the amount distributable to each county in respect of property in the unorganized territory **and in the portions of grand plantations** for each county by multiplying the state valuation then in effect for such property by the mill rate certified for each county pursuant to Title 30, section 254, which amounts are appropriated from the General Fund to be credited annually on the books of the State to the proper officer of each county as provided in section 342.

Sec. 53. R. S., T. 36, § 1181, amended. The first sentence, as amended, the 3rd sentence, and the 4th and 5th sentences, as amended, of section 1181 of Title 36 of the Revised Statutes, are further amended to read as follows:

The Director of the Bureau of ~~Forestry~~ **Public Lands** shall prepare and deliver to the State Tax Assessor full and accurate lists of all townships or parts of townships **organized as parts of grand plantations** or lots or parcels of land in the unorganized territory in this State sold and not included in the tax lists, whether conveyed or not, and shall lay before said Tax Assessor at his request all information in his possession touching the value and description of lands in unorganized territory **and grand plantations**; and a statement of all lands on which timber has been sold or a permit to cut timber has been granted by lease or otherwise.

In fixing the valuation of unorganized territory **and** townships **organized as grand plantations** whenever practicable, the lands and other property therein of any owners shall be valued and assessed separately. When the soil of townships or tracts taxed by the State as land in unorganized territory or **grand plantations** is not owned by the person or persons who own the growth or part of the growth thereon, the State Tax Assessor shall value the soil and such growth separately for purposes of taxation. All owners of real estate in unorganized territory **and grand plantations** or rights of timber and grass on public reserve lots shall, on or before the first day of August of each year preceding the regular legislative session, render to the State Tax Assessor a

signed list of all real estate in unorganized territory **and grand plantations** thus owned, either in common or severalty, giving the township, number, range and county where located.

Sec. 54. R. S., T. 36, § 1231, amended. The first sentence of section 1231 of Title 36 of the Revised Statutes is amended to read as follows:

Each owner or person in charge or control of personal property such as would not be exempt from taxation if it were located in a city or town of this State, and not otherwise subject to taxation under existing laws of the State, which on the first day of April in each year is situated, whether permanently or temporarily, within ~~an~~ unorganized territory or a township **organized as part of a grand plantation**, shall, on or before the first day of May in each year, return to the State Tax Assessor a complete list of such property upon blanks furnished by said Tax Assessor.

Sec. 55. R. S., T. 36, § 1285, amended. The first sentence, as amended, and the 3rd sentence of section 1285 of Title 36 of the Revised Statutes are further amended to read as follows:

In addition to the methods of collecting state taxes provided by law, owners of real estate in unorganized townships **or townships organized as parts of grand plantations** shall be liable to pay such taxes to the State Tax Assessor upon demand.

Such action shall be brought in the Superior Court in the county where such ~~unorganized~~ townships are located, and the Attorney General may begin and prosecute such actions when requested by the State Tax Assessor.

Sec. 56. R. S., T. 36, § 1286, amended. The first sentence of section 1286 of Title 36 of the Revised Statutes, as amended by section 11 of chapter 271 of the public laws of 1967, is further amended to read as follows:

When the State has taxed real estate in unorganized territory **or grand plantations**, and the Treasurer of State has conveyed it, or part of it, for nonpayment of tax, by deed purporting to convey the interest of the State by forfeiture for such nonpayment, or it or a part of it has been conveyed under authority given by the Legislature by a deed purporting to convey the interest of the State acquired under sections 1281 to 1285, and the pertinent records of the Treasurer of State or the State Tax Assessor show that the grantee, his heirs or assigns, has paid the state and county taxes thereon, or on his acres or interest therein, as stated in the deed, continuously for the 20 years subsequent to such deed; and when a person claims under a recorded deed describing real estate in unorganized territory **or in grand plantations** taxed by the State, and the pertinent records of the Treasurer of State or the State Tax Assessor show that he has, by himself or by his predecessors under such deed, paid the state and county taxes thereon, or on his acres or interest therein as stated in the deed, continuously for 20 years subsequent to recording such deed; and whenever in either case, it appears that the person claiming under such a deed, and those under whom he claims, have, during such period, held such exclusive, peaceable, continuous and adverse possession thereof as comports with the ordinary management of real estate in unorgan-

ized territory or in grand plantations in this State, and it further appears that during such period no former owner, or person claiming under him, has paid any such tax, or any assessment by the county commissioners, or done any other act indicative of ownership, no action shall be maintained by a former owner, or those claiming under him, to recover such real estate or to avoid such deed, unless commenced within said 20 years.

Sec. 57. R. S., T. 36, § 1331, amended. The first sentence of the 2nd paragraph of section 1331 of Title 36 of the Revised Statutes, as amended, is further amended to read as follows:

The State Tax Assessor shall make a supplementary assessment of any state tax on real estate in unorganized territory or in a grand plantation omitted by error from the last previous state valuation, and of buildings located in unorganized territory or in a grand plantation built since the last previous state valuation.

Sec. 58. R. S., T. 36, § 1487, sub-§ 2, amended. The first sentence of subsection 2 of section 1487 of Title 36 of the Revised Statutes and the 3rd sentence, as enacted by chapter 207 of the public laws of 1973, are amended to read as follows:

In unorganized places and grand plantations the county commissions shall appoint agents to collect the excise tax.

All taxes so collected in unorganized places and in grand plantations shall be paid to the county where the taxpayer resides.

Sec. 59. R. S., T. 38, § 1062, sub-§ 4, amended. Subsection 4 of section 1062 of Title 38 of the Revised Statutes, as last repealed and replaced by section 1 of chapter 400 of the public laws of 1971, is amended to read as follows:

4. Unorganized territory; grand plantations. A sufficient number of persons residing in unorganized territory or in a grand plantation; or

Sec. 60. Existing plantations unaffected. Plantations established prior to the effective date of this Act under repealed sections 5601 to 5605 of Title 30 are and shall remain lawfully organized unless and until deorganized according to law.

Sec. 61. Land Use Regulation Commission unaffected. Nothing contained in this Act shall be deemed to affect the jurisdiction or authority of the Land Use Regulation Commission over the unincorporated areas of the State.

Sec. 62. Area included in grand plantations. It is the intent of the Legislature that the limits of the area included in the grand plantations authorized by this Act shall be flexible to accommodate changed conditions as they may occur. The residents of a grand plantation may petition the Legislature for a change by legislative enactment in the designation of townships and tracts as included in the several grand plantations.

Such modifications shall be based on changes or realignments in the local communication and transportation networks, the social, political and economic identification of the residents or other relevant conditions.

Sec. 63. "Unorganized territory" to mean "unorganized coastal islands." Whenever in the Revised Statutes the words "unorganized territory," "unorganized place" or "unorganized township" appear, they shall mean "unorganized coastal islands."

Sec. 64. Appropriation. There is appropriated to the Secretary of State and to the Treasurer of State from the General Fund the sums of \$4,000 and \$44,000, respectively, to carry out the purposes of this Act. The breakdown shall be as follows:

	1974-75
SECRETARY OF STATE	
All Other	\$ 4,000
TREASURER OF STATE	
All Other	\$44,000

STATEMENT OF FACT

The absence of local government in the unorganized territory deprives residents of one of the fundamental privileges of citizenship — an opportunity to participate in decisions directly affecting their economic and social well-being. Recent study and hearings have shown that the present form of administration of the mainland unorganized territory of the State is deficient in several respects. Inequities and inefficiencies result that substantially inhibit sound planning and management of this unique portion of the State.

The purpose of this bill is to create new governmental units — grand plantations — for the unorganized and deorganized territory that will allow residents to assume the responsibilities of local government as are appropriate to a sparsely settled region, and assure more efficient and equitable governmental administration. These grand plantations, because they reflect the sparse and scattered nature of the resident population and the continued need for state administration and supervision of certain programs, constitute a modern framework for local government in this particular area and assure increased cooperation between state and local interests.

Under this bill, each grand plantation will have a council-manager form of government with specific and limited powers and duties. The elected council will have increasing responsibilities for public schooling. The manager will provide most of the services furnished by municipal clerks. He will also represent local interests and aid residents in dealings with state agencies.

This bill does not provide for local taxation and does not transfer responsibilities for road construction and maintenance and other public services presently held by the county commissioners. The grand plantations will, however, have a voice as municipal units with regard to the provisions of such services.

This bill is a portion of the report of the Joint Select Committee on Public Lands.