

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 161

H. P. 128

House of Representatives, January 26, 1977

Referred to Committee on Local and County Government. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Churchill of Orland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT Repealing the Lucerne-in-Maine Village Corporation.

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

Sec. 1. P&SL 1927, c. 43, as last amended by P&SL 1969, c. 200, is repealed. Subject to the provisions of section 5 hereof, chapter 43 of the private and special laws of 1927, as amended, entitled "An Act to Incorporate Lucerne-in-Maine Village Corporation," is repealed.

Sec. 2. Rights, etc. of the Lucerne-in-Maine Village Corporation vested in the Town of Dedham. Upon the acceptance of this Act as provided in section 5 hereof, all real and personal property, or any interests therein, then owned by Lucerne-in-Maine Village Corporation, together with all accounts receivable, choses in action and all other rights and benefits that may be either then due and payable to, or would accrue to, or for the benefit of the Lucerne-in-Maine Village Corporation but for this Act, shall become the property of the Town of Dedham without the payment of any consideration; that town being hereby vested with all rights and powers of holding, disposing of or enforcing such rights so acquired.

Sec. 3. Contracts, etc. to be assumed by the Town of Dedham. Upon the acceptance of this Act as provided in section 5 hereof, all valid contracts, obligations and liabilities of said Lucerne-in-Maine Village Corporation shall be assumed and performed by the Town of Dedham.

Sec. 4. Existing ordinances to remain in force. Upon the acceptance of this Act as provided in section 5 hereof, all valid ordinances then in force in Lucerne-in-Maine Village Corporation shall become valid and enforceable

ordinances within the Town of Dedham unless otherwise amended by the Town of Dedham.

Sec. 5. Referendums; effective date; certificates to Secretary of State. This Act shall be submitted to the legal voters of both Lucerne-in-Maine Village Corporation and of the Town of Dedham in accordance with the following procedure.

The issue shall first be submitted to the legal voters of Lucerne-in-Maine Village Corporation not sooner than 90 days nor more than 120 days after the adjournment of the Legislature. The overseers shall prepare proper ballots upon which this action will be reduced to the following question :

“Shall ‘An Act Repealing the Lucerne-in-Maine Village Corporation,’ passed by the 108th Legislature, be accepted?”

Voters of the Lucerne-in-Maine Village Corporation shall record by a cross or check mark placed in the box next to the words “Yes” or “No” their opinion of the same. The procedure shall be as provided in P&SL 1927, chapter 43, section 12. The overseers shall promptly certify in writing to the Town of Dedham selectmen and to the Secretary of State the results of the voting.

If a majority of the voters of Lucerne-in-Maine Village Corporation vote “Yes,” the issue shall then be submitted to the voters of the Town of Dedham not sooner than 7 days nor more than 45 days later at a special town meeting called by a warrant containing appropriate articles. This town meeting shall be called and conducted according to the law governing annual and special meetings of the town, except voting on the article relating to this Act shall be accomplished by written ballot to be prepared for this meeting by the town clerk. That ballot shall contain the following language :

“Shall ‘An Act Repealing the Lucerne-in-Maine Village Corporation,’ passed by the 108th Legislature, be accepted?”

Voters of the Town of Dedham shall record by a cross or check mark placed in the box next to the words “Yes” or “No” their opinion of the same.

The result of the vote taken at the town meeting shall be declared in open town meeting by the municipal officers of the Town of Dedham and they shall promptly certify in writing to the overseers and the Secretary of State the results of the voting.

This Act shall take effect for all purposes on April 1, 1978, if accepted by a majority of votes at both meetings.

STATEMENT OF FACT

The purpose of this bill is reflected in the title and in the referendum.