

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

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Legislative Document

No. 1635

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H. P. 1396

House of Representatives, April 14, 1977

On Motion of Mr. Curran of South Portland, referred to the Committee on Local and County Government. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mrs. Post of Owls Head.

Cosponsor: Mr. LeBlanc of Van Buren.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-SEVEN

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**AN ACT** Relating to the Powers of Plantations and their Organization.

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

Sec. 1. 30 MRSA § 5109, sub-§ 4 is enacted to read:

4. Grants. Plantations may apply for, accept and appropriate federal or state grants for any purpose which they are authorized by law to perform, either directly or through the State or a state agency.

Sec. 2. 30 MRSA § 5153, as enacted by PL 1971, c. 583, is amended by adding after the first sentence a new sentence to read:

**The municipal officers of any plantation may contract for and accept an offer or a grant of federal or state aid, or both, for any purpose for which the plantation is authorized to raise or expend money.**

Sec. 3. 30 MRSA § 5153, 2nd sentence, as enacted by PL 1971, c. 583, is amended to read:

Notwithstanding any provisions in a charter or special Act of the Legislature, but subject to the constitutional limit on indebtedness, any municipality or plantation which has contracted for and accepted an offer or a grant of federal or state aid or both, for a particular project, may by vote of its municipal officers incur indebtedness in anticipation of the receipt of such aid for the particular project by issuing its general obligation notes payable in not more than one year, which notes may be renewed from time to time by the issue of other notes, provided that no notes shall be issued or renewed in an amount which at the time of such issuance or renewal exceeds the un-

paid amount of the federal or state aid in anticipation of which such notes are issued or renewed, as the case may be.

**Sec. 4.** 30 MRSA § 5153, last ¶, 1st sentence, as enacted by PL 1975, c. 651, § 6, is amended to read:

In addition, the municipal officers of any municipality or plantation may borrow in anticipation of any funds or reimbursements that the Legislature has authorized to be paid to municipalities or plantations for education purposes during the municipal year.

**Sec. 5.** 30 MRSA § 5602, 1st sentence, as amended by PL 1973, c. 270, § 2, is repealed and the following enacted in its place:

After making the return provided by section 5601, the commissioners for the county shall notify the Legislature next sitting and that Legislature shall, by legislative Act, approve or disapprove the organization of that township. No township shall be organized pursuant to this section until and unless the Legislature shall have given its approval to that organization. Immediately after the effective date of any legislative Act approving the organization of that township, the commissioners shall, with the consent of a majority of such petitioners, issue their warrant to one of the principal inhabitants of each of such unincorporated townships, commanding him to notify the inhabitants thereof qualified to vote for Governor, to assemble on a day and at a place named in the warrant, to choose a moderator, clerk, 3 assessors, treasurer, collector of taxes, constable, school committee and other necessary plantation officers.

**Sec. 6.** 30 MRSA § 5603, last sentence, is repealed and the following enacted in its place:

In either case the provisions for legislative approval, the warrant, notice of meeting and proceedings therein shall be the same as provided in section 5602.

**Sec. 7. Exception.** The provisions of Title 30, sections 5602 and 5603, as amended by this Act, shall not be construed to affect or invalidate the organization of any plantation organized prior to the effective date of this Act.

#### STATEMENT OF FACT

This bill would provide that plantations may apply for, contract for, accept and appropriate federal or state grants or borrow in anticipation of those grants. It would also require legislative approval for the organization of plantations to prevent individuals from attempting to organize plantations solely as a means to obtain federal and state funds.