

MAINE STATE LEGISLATURE

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(EMERGENCY)
FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 863

H. P. 710

House of Representatives, March 1, 1979

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

EDWIN H. PERT, Clerk

Presented by Mr. Vose of Eastport.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT Converting the Unorganized Township of Edmunds into the Town of Edmunds.

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

Whereas, the voters of the unorganized township of Edmunds are desirous of holding a referendum to determine whether the unorganized township of Edmunds should be converted into the Town of Edmunds; and

Whereas, if the voters approve the referendum, it is desirable to organize the new town government as soon as possible so that the new Town of Edmunds may begin to govern itself in a manner that a majority of the voters have chosen; and

Whereas, the actual incorporation cannot be accomplished until the provisions of this Act take effect; 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. Town of Edmunds, incorporated. The unincorporated township of Edmunds, with its inhabitants, is incorporated into a town by the name of Edmunds. The inhabitants of this town are vested with the powers, privileges and immunities which the inhabitants of towns within the State do or may enjoy. The town created shall take the effects belonging to the unorganized township of Edmunds and shall also assume all of its obligations.

Sec. 2. Legislative district. Until the next legislative apportionment of representatives, the Town of Edmunds shall remain in the same legislative district in which the unorganized township of Edmunds is now classed.

Sec. 3. First meeting how called. Upon acceptance of this Act by referendum as provided in section 4, the county commissioners of Washington County shall issue a warrant, in accordance with the general laws, for the first town meeting, to be held within 45 days of the referendum. Notification of the town meeting shall be filed by the county clerk with the Secretary of State for determining the effective date of sections 1 and 2.

Sec. 4. Referendum; certificate to Secretary of State. This Act shall be submitted to the legal voters within the territory embraced within the limits of the proposed Town of Edmunds, by ballot at a special election to be held within 45 days after passage of this Act. This election shall be called, held and conducted by the Secretary of State in the same manner as local option elections in unorganized territory are conducted in accordance with Title 28, section 103, except that no petition for the election shall be required. The subject matter of sections 1 and 2 of this Act shall be reduced to the following question: "Shall the unorganized township of Edmunds be incorporated into the Town of Edmunds?" The voters shall indicate by a cross or check mark placed against the word "Yes" or "No" their opinion of the same. This Act shall be approved by a majority of the legal voters voting at the special election, provided that the total number of votes cast for and against the acceptance of sections 1 and 2 of this Act at the election equaled or exceeded 50% of the total number of votes cast in the unorganized township for Governor at the last gubernatorial election.

The result of the vote shall be declared by the Secretary of State and certificate thereof shall be filed by him in his office.

Emergency clause. In view of the emergency cited in the preamble, section 3 of this Act shall take effect upon its acceptance by a majority of the legal voters at the special election. Sections 1 and 2 of this Act shall take effect for all purposes hereof at the first town meeting.

STATEMENT OF FACT

This bill authorizes the incorporation of the Town of Edmunds upon approval by the voters of the unorganized township of Edmunds.

A referendum must be held no later than 45 days after passage of this Act. If approved, the first town meeting must be held within 45 days of the referendum.