

# MAINE STATE LEGISLATURE

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New Draft of H. P. 317, L. D. 426  
FIRST REGULAR SESSION

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ONE HUNDRED AND NINTH LEGISLATURE

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Legislative Document

No. 1563

H. P. 1309

House of Representatives, April 17, 1979

Reported by Mr. LaPlante from the Committee on Local and County Government. Printed under Joint Rules No. 2.

EDWIN H. PERT, Clerk

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-NINE

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**AN ACT Converting Lakeville Plantation into the Town of Lakeville and  
Removing Lakeville Plantation from the Maine Forestry District.**

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

**Sec. 1. 12 MRSA § 1201, 6th ¶ which relates to Penobscot County**, as amended by PL 1977, c. 720, § 2, is further amended to read:

**Penobscot County.** Townships N.B.P.P.: 3,R.1; 5, R.1. Townships N.W.P.: 1,R.7; 2,R.8; 2,R.9; 3,R.9 Townships W.E.L.S.: 1,R.6; 2,R.6; 6,R.6; 7,R.6; 8,R.6; A,R.7; 1,R.7; 2,R.7; 3,R.7; 4,R.7; 5,R.7; 6,R.7; 7,R.7; 8,R.7; 1,R.8; 2,R.8; 3,R.8; 4,R.8; 5,R.8; 6,R.8; 7,R.8; 8,R.8; Hopkins Academy Grant; A,R.8 and 9; Veazie Gore. Other townships: 3 Indian Purchase, 4 Indian Purchase; 1, N.D.; Kingman. Municipalities: Drew Plantation, Grand Falls Plantation, ~~Lakeville Plantation~~ Seboeis Plantation, Webster Plantation.

**Sec. 2. Town of Lakeville, incorporated.** Lakeville Plantation, with its inhabitants, is incorporated into a town by the name of Lakeville. 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 Lakeville Plantation and shall also assume all of its obligations.

**Sec. 3. Legislative district.** Until the next legislative apportionment of Representatives, the Town of Lakeville shall remain in the same legislative district in which Lakeville Plantation is now classed.

**Sec. 4. First meeting, how called.** Upon acceptance of Question 1 by referendum as provided in section 5, the board of assessors of the plantation shall issue a warrant, in accordance with the general laws, for the first town meeting, to be held at least 91 days following passage of this Act and no later than March 30, 1980. Notification of the town meeting shall be filed by the plantation clerk with the Secretary of State for determining the effective date of sections 1, 2 and 3.

**Sec. 5. Referendum; certificate to Secretary of State.** The board of assessors of the plantation shall submit this Act to the legal voters within the territory embraced within the limits of the proposed Town of Lakeville, by ballot at a regular or special election to be held within 9 months after passage of this Act. The board of assessors shall mail a notice of the referendum to each registered voter at least 3 weeks prior to the election. This election shall be called, advertised and conducted according to Title 30, sections 2061 and 2065. The plantation clerk shall prepare the required ballots, on which he shall reduce the subject matter of sections 1, 2 and 3 of this Act to the following 2 questions:

**Question 1:** "Shall Lakeville Plantation be incorporated into the Town of Lakeville?"

**Question 2:** "Shall Lakeville Plantation be removed for the Maine Forestry District?"

The voters shall indicate by a cross or a check mark placed against the word "Yes" or "No" their opinion of the same after each question. This Act shall be approved by a majority of the legal voters voting at the regular or special election, provided that the total number of ballots cast for and against the acceptance of sections 1, 2 and 3 of this Act at the election equaled or exceeded 50% of the total number of votes cast in the plantation for Governor at the last gubernatorial election.

The result of the vote shall be declared by the board of assessors of Lakeville Plantation and due certificate shall be filed by the plantation clerk with the Secretary of State.

**Sec. 6. Effective date.** Section 4 of this Act shall take effect upon its acceptance by a majority of the legal voters at the regular or special election. Sections 2 and 3 of this Act shall take effect for all purposes hereof at the first town meeting. Section 1 of this Act shall take effect, if accepted by a majority of the legal voters, April 1, 1980.

STATEMENT OF FACT

This new draft provides for a referendum by the voters of Lakeville Plantation if they should incorporate into a town and if they should remove themselves from the forestry district. The referendum must be held within 9 months after passage of this Act. If incorporation is approved, the first town meeting must be held before March 1980. Removal from the forestry district is effective, if approved, April 1, 1980.

This new draft clarifies the procedures and removes the emergency clause in the original bill.