

MAINE STATE LEGISLATURE

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(EMERGENCY)
FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 55

H. P. 42

House of Representatives, January 5, 1981

Reference to the Committee on Local and County Government suggested.

EDWIN H. PERT, Clerk

Presented by Mr. E. Paradis of Old Town.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

**AN ACT to Provide for the Surrender by Grand Falls Plantation of its
Organization.**

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 Grand Falls Plantation desire to hold a referendum to determine whether Grand Falls Plantation should be deorganized; and

Whereas, if the voters approve the referendum, it is necessary that the deorganization take effect prior to April 1, 1981 in order for the plantation to avoid the necessity of electing officers and filling positions for the plantation; 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. Organization of Grand Falls Plantation may be surrendered. The organization of Grand Falls Plantation in Penobscot County as heretofore adopted is hereby surrendered; provided, however, that the corporate existence, powers, duties and liabilities of the plantation shall survive for the purpose of prosecuting and defending all pending suits and causes of suits to which the plantation is, or may be, a party and all needful process growing out of the same, including

provisions for the payment of all or any judgments or debts which may be rendered against the plantation or exist in favor of any creditor.

Sec. 2. Unexpended school funds. At the time this Act becomes effective, the treasurer of the plantation or such other person as may have custody of the funds of the plantation shall pay to the Treasurer of State all unexpended school funds, which school funds together with the proceeds of any credits due the plantation for school purposes are to be used by the State Tax Assessor to settle any school obligations contracted by the plantation previous to the time this Act becomes effective. Any unexpended school funds remaining in the hands of the Treasurer of State after all the obligations have been met shall be added to the unorganized township funds as provided in the Maine Revised Statutes, Title 20, section 1458.

Sec. 3. Emergency clause; referendum; certificate to Secretary of State; effective date. The board of assessors of the plantation shall submit this Act to the legal voters within the territory embraced within the limits of Grand Falls Plantation, by ballot at a special election to be held before March 31, 1981. This election shall be called, advertised and conducted according to the Maine Revised Statutes, Title 30, sections 2061 and 2065. The plantation clerk shall prepare the required ballots, on which he shall reduce the subject matter of this Act to the following question:

“Shall the organization of Grand Falls Plantation be surrendered?”

The voters shall indicate by a cross or check mark placed against the word “Yes” or “No” their opinion of the same. The 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 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 Grand Falls Plantation and due certificate shall be filed by the plantation clerk with the Secretary of State.

In view of the emergency cited in the preamble, if this Act is approved, it shall take effect on March 31, 1981.

STATEMENT OF FACT

The purpose of this bill is to deorganize Grand Falls Plantation, Penobscot County. It has a state value of \$1,300,000, 100% state valuation, a valuation just completed. It is debt free, assets are in Northeast Bank of Lincoln and currently the population consists of 7 adults and 3 children. The population is so small the plantation wishes to deorganize.