

MAINE STATE LEGISLATURE

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(EMERGENCY)
FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 1224

H. P. 1014

House of Representatives, March 10, 1981

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

EDWIN H. PERT, Clerk

Presented by Representative Curtis of Waldoboro, Senator Collins of Knox and Representative Nelson of Portland.

STATE OF MAINE

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

AN ACT Converting Monhegan Plantation into the Town of Monhegan.

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 Monhegan Plantation desire to hold a referendum to determine whether Monhegan Plantation should be converted into the Town of Monhegan; 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 Monhegan 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 Monhegan; incorporated. Monhegan Plantation, with its

inhabitants, is incorporated into a town by the name of Monhegan. 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 Monhegan Plantation and shall also assume all of its obligations.

Sec. 2. Legislative district. Until the next legislative apportionment of Representatives, the Town of Monhegan shall remain in the same legislative district in which Monhegan Plantation is now classed.

Sec. 3. First meeting; how called. Upon acceptance of this Act by referendum as provided in section 4, 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 within 30 days of the referendum. 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 and 2.

Sec. 4. 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 Monhegan, by ballot at a special election to be held within 30 days after passage of this Act. This election shall be called, advertised and conducted according to the 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 sections 1 and 2 of this Act to the following question: "Shall Monhegan Plantation become the Town of Monhegan?" 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 plantation for Governor at the last gubernatorial election.

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

Emergency clause. In view of the emergency set out 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 Monhegan upon approval by the voters of Monhegan Plantation.

A referendum must be held no later than 30 days. If approved, the first town meeting must be held within 30 days of the referendum.