

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

(EMERGENCY)

FIRST REGULAR SESSION

ONE HUNDRED AND ELEVENTH LEGISLATURE

Legislative Document

No. 108

H.P. 101

House of Representatives, January 6, 1983

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

EDWIN H. PERT, Clerk

Presented by Representative Masterman of Milo.
Cosponsor: Senator Pray of Penobscot.

STATE OF MAINE

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

AN ACT to Deorganize Elliotsville
Plantation.

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 Elliotsville Plantation desire to deorganize as soon as possible; and

Whereas, the voters feel it necessary to implement this change at the next meeting of the plantation to deorganize; and

Whereas, the deorganization cannot be accomplished until the provisions of this Act take effect; and

1 Whereas, in the judgment of the Legislature,
2 these facts create an emergency within the meaning of
3 the Constitution of Maine and require the following
4 legislation as immediately necessary for the preser-
5 vation of the public peace, health and safety; now,
6 therefore,

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

9 **Sec. 1. Organization of Elliotsville may be sur-**
10 **rendered.** The organization of Elliotsville in
11 Piscataquis County as heretofore adopted is hereby
12 surrendered; provided, however, that the corporate
13 existence, powers, duties and liabilities of the
14 plantation shall survive for the purpose of prosecut-
15 ing and defending all pending suits and causes of
16 suits to which the plantation is, or may be, a party
17 and all needful process growing out of the same,
18 including provisions for the payment of all or any
19 judgments or debts which may be rendered against the
20 plantation or exist in favor of any creditor.

21 **Sec. 2. Unexpended school funds.** At the time
22 this Act becomes effective, the treasurer of the
23 plantation or such other person as may have custody
24 of the funds of the plantation shall pay to the
25 Treasurer of State all unexpended school funds, which
26 school funds together with the proceeds of any cred-
27 its due the plantation for school purposes are to be
28 used by the State Tax Assessor to settle any school
29 obligations contracted by the plantation previous to
30 the time this Act becomes effective. Any unexpended
31 school funds remaining in the hands of the Treasurer
32 of State after all the obligations have been met
33 shall be added to the unorganized township funds as
34 provided in the Maine Revised Statutes, Title 20,
35 section 1458.

6 **Sec. 3. Referendum; certificate to Secretary of**
7 **State.** The board of assessors of the plantation
8 shall submit this Act to the legal voters within the
9 territory embraced within the limits of Elliotsville,
0 by ballot at a special election to be held on or
1 before the regular plantation meeting during the
2 month of March, 1983. This election shall be called,

1 advertised and conducted according to the Maine
2 Revised Statutes, Title 30, sections 2061 and 2065.
3 The plantation clerk shall prepare the required bal-
4 lots, on which he shall reduce the subject matter of
5 this Act to the following question:

6 "Shall the organization of Elliotsville be sur-
7 rendered?"

8 The voters shall indicate by a cross or check
9 mark placed against the word "Yes" or "No" their
10 opinion of the same. The Act shall be approved by a
11 majority of the legal voters voting at the plantation
12 meeting, provided that the total number of votes cast
13 for and against the acceptance of this Act at the
14 election equaled or exceeded 50% of the total number
15 of votes cast in the plantation for Governor at the
16 last gubernatorial election.

17 The result of the vote shall be declared by the
18 board of assessors of Elliotsville and due certifi-
19 cate shall be filed by the plantation clerk with the
20 Secretary of State.

21 **Emergency clause.** In view of the emergency
22 cited in the preamble, this Act shall take effect
23 when approved.

24 STATEMENT OF FACT

25 The purpose of this bill is stated in the emer-
26 gency preamble.

27

0026112382