

MAINE STATE LEGISLATURE

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(EMERGENCY)

FIRST REGULAR SESSION

ONE HUNDRED AND ELEVENTH LEGISLATURE

Legislative Document

No. 134

H.P. 126

House of Representatives, January 10, 1983

On Motion of Representative McHenry of Madawaska referred to the Committee on Local and County Government. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Moholland of Princeton.

Cosponsor: Senator Brown of Washington.

STATE OF MAINE

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

AN ACT to Provide for the Surrender by
Plantation 21 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 Plantation 21 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 Plantation 21 may be**
10 **surrendered.** The organization of Plantation 21 in
11 Washington County as heretofore adopted is hereby
12 surrendered; provided that the corporate existence,
13 powers, duties and liabilities of the plantation
14 shall survive for the purposes of prosecuting and
15 defending all pending suits to which the plantation
16 is, or may be, a party and all needful process grow-
17 ing out of the same, including provisions for the
18 payment of all or any judgments or debts which may be
19 rendered against the plantation or exist in favor of
20 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 credits due the
27 plantation for school purposes are to be used by the
28 State Tax Assessor to settle any school obligations
29 contracted by the plantation previous to the time
30 this Act becomes effective. Any unexpended school
31 funds remaining in the hands of the Treasurer of
32 State after all the obligations have been met shall
33 be added to the unorganized township funds as pro-
34 vided in the Maine Revised Statutes, Title 20,
35 section 1458.

36 **Sec. 3. Referendum; certificate to Secretary of**
37 **State.** The board of assessors of the plantation
38 shall submit this Act to the legal voters within the
39 territory embraced within the limits of Plantation
40 21, by ballot at a special election to be held on or
41 before the regular plantation meeting during the
42 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 Plantation 21 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 special
12 election, provided that the total number of votes
13 cast for and against the acceptance of this Act at
14 the election equaled or exceeded 50% of the total
15 number of votes cast in the plantation for Governor
16 at the last gubernatorial election.

17 The result of the vote shall be declared by the
18 board of assessors of Plantation 21 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 cited
22 in the preamble, this Act shall take effect when
23 approved.

24 STATEMENT OF FACT

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

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