

# MAINE STATE LEGISLATURE

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(EMERGENCY)

SECOND REGULAR SESSION

ONE HUNDRED AND ELEVENTH LEGISLATURE

Legislative Document

No. 1825

H.P. 1403

House of Representatives, January 4, 1984

Reference to the Committee on Local and County Government. Ordered printed and sent up for concurrence.

Approved for introduction by the Legislative Council pursuant to Joint Rule 26.

EDWIN H. PERT, Clerk

Presented by Representative Hall of Sangerville.

Cosponsor: Senator Pray of Penobscot.

STATE OF MAINE

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

AN ACT to Deorganize Blanchard 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 Blanchard 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

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following

1 legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

6       **Sec. 1. Deorganization of Blanchard.** Blanchard Plantation in Piscataquis County is hereby deorganized; provided 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.

17       **Sec. 2. Unexpended school funds.** 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 deorganization. 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 Territory School and Capital Working Funds, as provided in the Revised Statutes, Title 20-A, section 3351.

31       **Sec. 3. Referendum; certificate to Secretary of State; emergency.** The board of assessors of the plantation shall submit this Act to the legal voters within the territory embraced within the limits of Blanchard, by ballot at a special election to be held on or before the regular March, 1984, plantation meeting. 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 this Act to the following question:

1 "Shall Blanchard Plantation be deorganized?"

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

11 The result of the vote shall be declared by the  
12 board of assessors of Blanchard and due certificate  
13 shall be filed by the plantation clerk with the Sec-  
14 retary of State within 10 days from the date of that  
15 vote.

16 **Emergency clause.** In view of the emergency cited  
17 in the preamble, section 3 of this Act shall take ef-  
18 fect when approved. Sections 1 and 2 of this Act  
19 shall take effect on March 31, 1984, if approved by a  
20 majority of the legal voters at the special election.

21 STATEMENT OF FACT

22 The purpose of this bill is to permit the  
23 deorganization of Blanchard Plantation.

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