

MAINE STATE LEGISLATURE

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(Emergency)
THIRD SPECIAL SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 2669

S.P. 1018 In Senate, September 15, 1988
Approved for Introduction by a Majority of the Legislative
Council pursuant to Joint Rule 26.

Received by the Secretary of the Senate on September 7,
1988. Referred to the Committee on State and Local Government
and 1,650 ordered printed pursuant to Joint Rule 14.

JOY J. O'BRIEN, Secretary of the Senate
Presented by Senator PRAY of Penobscot.

Cosponsored by Representative CLARK of Millinocket.

STATE OF MAINE

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

1 AN ACT to Authorize the Annexation of Land
2 Adjacent to the Town of Millinocket.
3

4 Emergency preamble. Whereas, Acts of the
5 Legislature do not become effective until 90 days
6 after adjournment unless enacted as emergencies; and

7 Whereas, it is of concern that the people of the
8 State be allowed to govern themselves on a local
9 level; and

1 Whereas, it is the purpose of this legislation to
2 allow the concerned inhabitants of the Town of
3 Millinocket to join in the governing of their own
4 affairs and it is desirable that the annexation be
5 permitted as soon as possible pending the referendum
6 set out in this legislation; and

7 Whereas, in the judgment of the Legislature, these
8 facts create an emergency within the meaning of the
9 Constitution of Maine and require the following
10 legislation as immediately necessary for the
11 preservation of the public peace, health and safety;
12 now, therefore,

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

15 Sec. 1. One lot or parcel of land; annexed to
16 Town of Millinocket. The following lot or parcel of
17 land bounded and described as follows and situated
18 adjacent to the Town of Millinocket in Penobscot
19 County is annexed to the Town of Millinocket:

20 Commencing at the northeasterly corner of the Town
21 of Millinocket; thence, continuing easterly along a
22 continuation of the north bound of the Town of
23 Millinocket to the easterly bound of Township 3 Indian
24 Purchase; thence, continuing easterly along the same
25 course to the northerly bound of the Bangor and
26 Aroostook Railroad right-of-way; thence, continuing
27 along the same course, to the southerly bound of the
28 Bangor and Aroostook Railroad right-of-way; thence,
29 continuing along the same course to the high water
30 mark of Dolby Pond; thence, northerly, easterly, and
31 southerly by and along the high water line of Dolby
32 Pond to the northerly bound of Township A Range No. 7
33 WELS; thence, continuing in a southerly direction
34 along the high water line of Dolby Pond to the
35 northerly sideline of Routes 157 and 11; thence,
36 continuing in a southerly direction to the southerly
37 bound of Routes 157 and 11; thence, continuing
38 southerly by and along the high water line of Dolby
39 Pond to the westerly boundary of the Town of East

1 Millinocket; thence, southerly, by and along the
2 westerly bound of East Millinocket to the thread of
3 the West Branch of the Penobscot River at the Dolby
4 Dam, so called; thence, northerly and westerly by and
5 along the thread of the West Branch of the Penobscot
6 River to the present east bound of the Town of
7 Millinocket; thence, northerly, easterly and westerly
8 by and along the present east boundary of the Town of
9 Millinocket to the point or place of beginning.

10 Sec. 2. Referendum; emergency clause; effective
11 date. This Act shall be submitted to the legal
12 voters in the Town of Millinocket in Penobscot County
13 at the next regular municipal election after the
14 effective date of this Act, and warrants shall be
15 issued for that election in the manner now provided by
16 law for the holding of municipal elections, notifying
17 and warning the qualified voters of the town and
18 township to vote on the approval or rejection of this
19 Act.

20 The town clerk of Millinocket shall prepare the
21 required ballots, on which the town clerk shall reduce
22 the subject matter of this Act to the following
23 question:

24 "Shall the Town of Millinocket annex certain land
25 adjacent to the town in Penobscot County?"

26 The voters shall indicate by a cross or check mark
27 placed against the words "Yes" or "No" their opinion
28 of the same. The votes of legal voters of the Town of
29 Millinocket shall be counted, tallied and recorded.

30 In view of the emergency cited in the preamble,
31 this Act shall take effect upon its acceptance by a
32 majority of the legal voters of the Town of
33 Millinocket voting at this election, provided that the
34 total number of votes cast for and against the
35 acceptance of this Act at the election by legal voters
36 of the town equals or exceeds 50% of the total votes
37 cast for all candidates for Governor in the town at
38 the last gubernatorial election.

1 If the number of votes cast is less than 50%, the
2 question may be posed to the voters at a subsequent
3 regular or special election within one year. If the
4 number of votes cast is 50% or more and the referendum
5 fails, it may not be submitted again to the voters
6 under the provisions of this Act.

7 The result of the votes shall be declared by the
8 municipal officers of the town and due certificates
9 thereof shall be filed by the town clerk with the
10 Secretary of State within 10 days of the date of the
11 vote.

12 STATEMENT OF FACT

13 This bill authorizes the annexation of certain
14 surrounding land by the Town of Millinocket.

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