

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

SECOND REGULAR SESSION - 1990

Legislative Document

No. 2308

H.P. 1667

House of Representatives, February 12, 1990

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.

Reference to the Committee on State and Local Government suggested and ordered printed.

Handwritten signature of Edwin H. Pert in cursive.

EDWIN H. PERT, Clerk

Presented by Representative MacBRIDE of Presque Isle.

Cosponsored by Senator BERUBE of Androscoggin, Senator LUDWIG of Aroostook and Speaker MARTIN of Eagle Lake.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY

An Act to Deorganize Plantation E in Aroostook County.

(AFTER DEADLINE)

(EMERGENCY)



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

4
6 Whereas, the citizens of Plantation E must vote on the
deorganization of the plantation before the 90-day period after
adjournment has elapsed; and

8
10 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
12 necessary for the preservation of the public peace, health and
safety; now, therefore,

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

16 **Sec. 1. Deorganization of Plantation E.** Plantation E in
18 Aroostook County is deorganized, provided that the corporate
existence, powers, duties and liabilities of the plantation shall
20 survive for the purposes of prosecuting and defending all pending
suits to which the plantation is, or may be, a party and all
22 needful process arising out of any suits, including provisions
for the payment of all or any judgments or debts which may be
24 rendered against the plantation or exist in favor of any creditor.

26 **Sec. 2. Unexpended school funds.** The treasurer of the
plantation or any other person who has custody of the funds of
28 the plantation shall pay to the Treasurer of State all unexpended
school funds, which together with the credits due the plantation
30 for school purposes, are to be used by the State Tax Assessor to
settle any school obligations contracted by the plantation before
32 deorganization. Any unexpended school funds remaining with the
Treasurer of State after all the obligations have been met must
34 be added to the Unorganized Territory Education and Services
Fund, as established in the Maine Revised Statutes, Title 36,
36 chapter 115.

38 **Sec. 3. Referendum; certificate to Secretary of State.** The board of
assessors of the plantation shall submit this Act to the legal
40 voters of Plantation E by ballot at the next general election
held in November after passage of this Act. This election must
42 be called, advertised and conducted according to the Maine
Revised Statutes, Title 30-A, sections 2528 and 2532. The
44 plantation clerk shall prepare the required ballots on which the
clerk shall reduce the subject matter of this Act to the
46 following question:

48 "Shall Plantation E be deorganized?"

50 The voters shall indicate their opinion on this question by

2 a cross or check mark placed against the word "Yes" or "No."
3 Before becoming effective, this Act must be approved by a
4 majority of the legal voters voting at the general election, and
5 the total number of votes cast for and against the acceptance of
6 this Act at the election must equal or exceed 50% of the total
7 number of votes cast in the plantation for Governor at the last
8 gubernatorial election.

9
10 The board of assessors of Plantation E shall declare the
11 result of the vote. The plantation clerk shall file a
12 certificate of the election result with the Secretary of State
13 within 10 days from the date of the election.

14 **Emergency clause.** In view of the emergency cited in the
15 preamble, this Act takes effect when approved.
16

18 STATEMENT OF FACT

19 The purpose of this bill is to allow deorganization of
20 Plantation E.
21
22