

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

SECOND REGULAR SESSION - 1990

Legislative Document

No. 2382

H.P. 1723

House of Representatives, March 1, 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.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative CAHILL of Mattawamkeag.
Cosponsored by Senator LUDWIG of Aroostook.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY

An Act to Deorganize the Plantation of Prentiss in Penobscot 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 Whereas, the officials for the Plantation of Prentiss need
6 adequate time to prepare for the deorganization of the
plantation; and

8 Whereas, waiting the 90-day period for nonemergency
10 measures will impose a hardship on the plantation officials who
will voluntarily remain in office until the deorganization is
12 complete; and

14 Whereas, in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
16 Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
18 safety; now, therefore,

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

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

32 **Sec. 2. Unexpended school funds.** The treasurer of the
plantation or any other person who has custody of the funds of
34 the plantation shall pay to the Treasurer of State all unexpended
school funds which, together with the credits due the plantation
36 for school purposes, must be used by the State Tax Assessor to
settle any school obligations contracted by the plantation before
38 deorganization. Any unexpended school funds remaining with the
Treasurer of State after all the obligations have been met must
40 be added to the Unorganized Territory Education and Services
Fund, as established in the Maine Revised Statutes, Title 36,
42 section 1605.

44 **Sec. 3. Referendum; certificate to Secretary of State.**
Notwithstanding the provision of the Maine Revised Statutes,
46 Title 30-A, section 7209, the board of assessors of the
plantation shall submit this Act to the legal voters of the
48 Plantation of Prentiss, by ballot at a special election to be
held on or after May 15, 1990, to approve deorganization prior to
50 November. This election must be called, advertised and conducted
according to the Maine Revised Statutes, Title 30-A, sections
52 2528 and 2532. The plantation

2 clerk shall prepare the required ballots, on which the subject
3 matter of this Act is reduced to the following question:

4 "Shall the Plantation of Prentiss be deorganized?"

6 The voters shall indicate their opinion on this question by
7 a cross or check mark placed against the word "Yes" or "No."
8 Before becoming effective, this Act must be approved by 2/3 of
9 the legal voters voting at the special election, and the total
10 number of votes cast for and against the acceptance of this Act
11 at the election must equal or exceed 50% of the total number of
12 votes cast in the plantation for Governor at the last
13 gubernatorial election.

14
15 The board of assessors of the Plantation of Prentiss shall
16 declare the result of the vote. The clerk shall file a
17 certificate of the election result with the Secretary of State
18 within 10 days from the date of the election.

20 **Emergency clause.** In view of the emergency cited in the
21 preamble, this Act takes effect when approved.

22
23
24 **STATEMENT OF FACT**

25
26 This bill allows the deorganization of the Plantation of
27 Prentiss in Penobscot County.
28