

# MAINE STATE LEGISLATURE

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# 116th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1993

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Legislative Document

No. 976

S.P. 324

In Senate, March 22, 1993

**An Act to Deorganize the Town of Greenfield.**

(EMERGENCY)

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

A handwritten signature in cursive script, reading 'Joy J. O'Brien'.

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator O'DEA of Penobscot.  
Cosponsored by Representative COFFMAN of Old Town and  
Senator: PEARSON of Penobscot.

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

Whereas, the citizens of the Town of Greenfield have taken a preliminary vote on the deorganization of the town and a final vote and the deorganization must take effect before the 90-day period after adjournment has elapsed; 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 legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. Deorganization of Town of Greenfield.** The Town of Greenfield in Penobscot County is deorganized, except that the corporate existence, powers, duties and liabilities of the town survive for the purposes of prosecuting and defending all pending suits to which the town is, or may be, a party and all needful process arising out of any suits, including provisions for the payment of all or any judgments or debts that may be rendered against the town or exist in favor of any creditor.

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

**Sec. 3. Withdrawal from School Administrative District No. 90.** The Town of Greenfield is withdrawn from School Administrative District No. 90.

**Sec. 4. Assessment of taxes.** The State Tax Assessor shall assess the real and personal property taxes in the Town of Greenfield as of April 1, 1994 as provided in Title 36, chapter 115.

**Sec. 5. Referendum; certificate to Secretary of State.** Notwithstanding Title 30-A, section 7209, the municipal officers of the town shall submit this Act to the legal voters of the Town of Greenfield by ballot at a special election held as soon as practicable after passage of this Act. This election must be called, advertised and conducted according to the Maine Revised

2 Statutes, Title 30-A, sections 2528 and 2532. The town clerk  
shall prepare the required ballots on which the clerk shall  
4 reduce the subject matter of this Act to the following question:

6 "Do you favor the deorganization of the Town of Greenfield?"

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

16 The municipal officers of the Town of Greenfield shall  
declare the result of the vote. The town clerk shall file a  
18 certificate of the election result with the Secretary of State  
within 10 days from the date of the election.

20 **Sec. 6. Effective date.** Section 5 of this Act takes effect when  
22 approved. Sections 1 to 4 of this Act take effect on July 1,  
1993, if deorganization is approved by the voters of the Town of  
24 Greenfield pursuant to section 5 of this Act.

26 **Emergency clause.** In view of the emergency cited in the  
preamble, this Act takes effect when approved unless otherwise  
28 indicated.

30 **STATEMENT OF FACT**

32 The purpose of this bill is to deorganize the Town of  
34 Greenfield.