

# MAINE STATE LEGISLATURE

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# 118th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1997

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Legislative Document

No. 1450

H.P. 1033

House of Representatives, March 11, 1997

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### An Act to Deorganize the Town of Cooper.

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

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative GOODWIN of Pembroke.  
Cosponsored by Representatives: BAGLEY of Machias, DRISCOLL of Calais.

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

4 **Sec. 1. Deorganization of Town of Cooper.** The Town of Cooper in  
6 Washington County is deorganized, except that the corporate  
8 existence, powers, duties and liabilities of the town survive for  
10 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.

12 **Sec. 2. Unexpended school funds.** The treasurer of the town or  
14 any other person who has custody of the funds of the town shall  
16 pay to the Treasurer of State all unexpended school funds that,  
18 together with the credits due the town for school purposes, are  
20 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.

22 **Sec. 3. Withdrawal from School Union 107.** The Town of Cooper  
24 is withdrawn from School Union No. 107.

26 **Sec. 4. Provision of education services.** Notwithstanding any  
28 other law, this section entitles all kindergarten through Grade 8  
30 pupils in Cooper to attend school in Alexander and all secondary  
school pupils to attend school in Baileyville. Pupils must be  
provided transportation at state expense to those schools.

32 **Sec. 5. Assessment of taxes.** The State Tax Assessor shall  
34 assess the real and personal property taxes in the Town of Cooper  
as of April 1, 1998 as provided in Title 36, chapter 115.

36 **Sec. 6. Referendum; certificate to Secretary of State.**  
38 Notwithstanding Title 30-A, section 7209, the municipal officers  
40 of the town shall submit this Act to the legal voters of the Town  
of Cooper by ballot at a special election held as soon as  
42 practicable after the effective date of this Act. This election  
must be called, advertised and conducted according to the Maine  
44 Revised Statutes, Title 30-A, sections 2528 and 2532. The town  
clerk shall prepare the required ballots on which the clerk shall  
reduce the subject matter of this Act to the following question:

46 "Do you favor the deorganization of the Town of Cooper?"

48 The voters shall indicate their opinion on this question by  
50 a cross or check mark placed against the word "Yes" or "No."  
Before becoming effective, this Act must be approved by at least

2/3 of the legal voters voting at the special election, and the 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 of votes cast in the town for Governor at the last gubernatorial election.

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

**Sec. 7. Effective date.** Sections 1 to 5 of this Act take effect on July 1, 1998, if deorganization is approved by the voters of the Town of Cooper pursuant to section 6 of this Act.

### SUMMARY

This bill provides for the deorganization of the Town of Cooper in Washington County, subject to approval at local referendum.

This bill also specifies that the kindergarten through Grade 8 pupils may attend Alexander schools and all secondary school pupils may attend Baileyville schools.