

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

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Legislative Document

No. 984

S.P. 330

In Senate, February 4, 1999

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**An Act to Allow the Town of Madrid to Deorganize.**

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator BENOIT of Franklin.  
Cosponsored by Representative JODREY of Bethel and  
Senators: CAREY of Kennebec, DAVIS of Piscataquis, FERGUSON of Oxford,  
Representative: GOOLEY of Farmington.

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

2

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

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

22

23       **Sec. 3. Provision of education services.** Notwithstanding any  
24 other law, this section entitles all kindergarten to Grade 8  
25 pupils in Madrid to attend school in the Town of Phillips and all  
26 secondary school pupils to attend school within School  
27 Administrative District No. 58, upon deorganization. Pupils must  
28 be provided transportation at state expense to those schools.

30       **Sec. 4. Assessment of taxes.** The State Tax Assessor shall  
31 assess the real and personal property taxes in the Town of Madrid  
32 as of April 1, 2000 as provided in Title 36, chapter 115.

34       **Sec. 5. Referendum; certificate to Secretary of State.**  
35 Notwithstanding Title 30-A, section 7209, the municipal officers  
36 of the town shall submit this Act to the legal voters of the Town  
37 of Madrid by ballot at the next general election to be held in  
38 November. This election must be called, advertised and conducted  
39 according to the Maine Revised Statutes, Title 30-A, sections  
40 2528 and 2532. The town clerk shall prepare the required ballots  
41 on which the clerk shall reduce the subject matter of this Act to  
42 the following question:

44               "Do you favor the deorganization of the Town of Madrid?"

46       The voters shall indicate their opinion on this question by  
47 a cross or check mark placed against the word "Yes" or "No."  
48 Before becoming effective, this Act must be approved by at least  
2/3 of the legal voters voting at the general election, and the

2 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  
4 of votes cast in the town for Governor at the last gubernatorial  
election.

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

10 **Sec. 6. Effective date.** Sections 1 to 4 of this Act take effect  
12 on July 1, 2000, if deorganization is approved by the voters of  
the Town of Madrid pursuant to section 5 of this Act.

14  
16 **SUMMARY**

18 This bill provides for the deorganization of the Town of  
Madrid in Franklin County, subject to approval at local  
20 referendum.

22 This bill also specifies that the kindergarten to Grade 8  
pupils may attend schools in the Town of Phillips and all  
24 secondary school pupils may attend schools within School  
Administrative District No. 58, upon deorganization.  
26