

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 1624

H.P. 1201

House of Representatives, May 22, 2003

An Act To Authorize the Deorganization of the Town of Centerville

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

Millicent M. MacFarland
MILLCENT M. MacFARLAND
Clerk

Presented by Representative BUNKER of Kossuth Township.
Cosponsored by Senator SHOREY of Washington and
Representatives: CROSTHWAITE of Ellsworth, KETTERER of Madison, McLAUGHLIN of
Cape Elizabeth, PEAVEY-HASKELL of Greenbush, STONE of Berwick, SUKEFORTH of
Union, Senators: GILMAN of Cumberland, LaFOUNTAIN of York.

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

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Sec. 1. Deorganization of Town of Centerville. Notwithstanding any contrary requirement of the Maine Revised Statutes, Title 30-A, chapter 302, if, in accordance with Title 30-A, section 7207, a majority of the voters in the Town of Centerville approve the deorganization procedure developed in accordance with Title 30-A, section 7205 and if the deorganization is approved by the voters of the Town of Centerville pursuant to section 4 of this Act, the Town of Centerville in Washington 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.

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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.

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Sec. 3. Assessment of taxes. The State Tax Assessor shall assess the real and personal property taxes in the Town of Centerville as of April 1, 2004, as provided in the Maine Revised Statutes, Title 36, chapter 115.

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Sec. 4. Referendum; certificate to Secretary of State. This Act takes effect 90 days after its approval only for the purpose of permitting its submission by the municipal officers to the legal voters of the Town of Centerville by ballot at the next statewide election to be held in November. This election must be called, advertised and conducted according to the Maine 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:

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"Do you favor the deorganization of the Town of Centerville?"

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The voters shall indicate their opinion on this question by 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 election, and the total number of votes cast for and against the acceptance of this

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2 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.

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

10 **Sec. 5. Effective date.** Sections 1 to 3 of this Act take effect
on July 1, 2004 if deorganization is approved by the voters of
12 the Town of Centerville pursuant to section 4 of this Act.

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SUMMARY

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18 This bill authorizes the deorganization of the Town of
Centerville if, in accordance with the Maine Revised Statutes,
Title 30-A, section 7207, a majority of the voters in the town
20 approve the deorganization procedure developed in accordance with
Title 30-A, section 7205 and if the deorganization is approved by
22 the voters of the town at the next statewide election to be held
in November.

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