

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

SECOND REGULAR SESSION-2004

Legislative Document

No. 1671

H.P. 1247

House of Representatives, December 19, 2003

An Act To Authorize the Deorganization of the Town of Atkinson

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Clerk of the House on December 16, 2003. Referred to the Committee on State and Local Government pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative ANNIS of Dover-Foxcroft.
Cosponsored by Senator: DAVIS of Piscataquis.

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

4 **Sec. 1. Deorganization of Town of Atkinson.** Notwithstanding any
6 contrary requirement of the Maine Revised Statutes, Title 30-A,
8 chapter 302, if, in accordance with Title 30-A, section 7207, a
10 majority of the voters in the Town of Atkinson approve the
12 deorganization procedure developed in accordance with Title 30-A,
14 section 7205 and if the deorganization is approved by the voters
16 of the Town of Atkinson pursuant to section 4 of this Act, the
18 Town of Atkinson in Piscataquis 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.

20 **Sec. 2. Unexpended school funds.** The treasurer of the Town of
22 Atkinson or any other person who has custody of the funds of the
24 town shall pay to the Treasurer of State all unexpended school
26 funds that, together with the credits due the town for school
28 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.

30 **Sec. 3. Assessment of taxes.** The State Tax Assessor shall
32 assess the real and personal property taxes in the Town of
34 Atkinson as of April 1, 2005, as provided in the Maine Revised
Statutes, Title 36, chapter 115.

36 **Sec. 4. Referendum; certificate to Secretary of State.** This Act
38 takes effect 90 days after its approval only for the purpose of
40 permitting its submission by the municipal officers to the legal
42 voters of the Town of Atkinson by ballot at the next general
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:

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

46 The voters shall indicate their opinion on this question by
48 a cross or check mark placed against the word "Yes" or "No."
50 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

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.

4
6 The municipal officers of the Town of Atkinson 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
8 from the date of the election.

10 **Sec. 5. Effective date.** Sections 1 to 3 of this Act take effect
on July 1, 2005 if deorganization is approved by the voters of
12 the Town of Atkinson pursuant to section 4 of this Act.

14
16 **SUMMARY**

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