

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

SECOND REGULAR SESSION-2006

Legislative Document

No. 1762

S.P. 679

In Senate, December 30, 2005

An Act Authorizing the Deorganization of Drew Plantation

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

Received by the Secretary of the Senate on December 28, 2005. Referred to the Committee on State and Local Government pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

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

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator RAYE of Washington.
Cosponsored by Representative: McLEOD of Lee.

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

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

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

16 **Sec. 3. Provision of education services.** Notwithstanding any other law, this
17 section entitles all prekindergarten to grade 5 pupils in Drew Plantation to attend school
18 in Kingman Township, all grade 6 to grade 8 pupils to attend school within Maine School
19 Administrative District No. 30 and all grade 9 to grade 12 pupils to attend school at Lee
20 Academy. Pupils must be provided transportation at state expense to those schools.

21 **Sec. 4. Assessment of taxes.** The State Tax Assessor shall assess the real and
22 personal property taxes in Drew Plantation as of April 1, 2007, as provided in the Maine
23 Revised Statutes, Title 36, chapter 115.

24 **Sec. 5. Referendum; certificate to Secretary of State.** This Act takes effect
25 90 days after its approval only for the purpose of permitting its submission by the
26 municipal officers to the legal voters of Drew Plantation by ballot at the next general
27 election to be held in November. This election must be called, advertised and conducted
28 according to the Maine Revised Statutes, Title 30-A, sections 2528 and 2532. The
29 plantation clerk shall prepare the required ballots, on which the clerk shall reduce the
30 subject matter of this Act to the following question:

31 "Do you favor the deorganization of Drew Plantation?"

32 The voters shall indicate their opinion on this question by a cross or check mark
33 placed against the word "Yes" or "No." Before becoming effective, this Act must be
34 approved by at least 2/3 of the legal voters voting at the election, and the total number of
35 votes cast for and against the acceptance of this Act at the election must equal or exceed
36 50% of the total number of votes cast in the plantation for Governor at the last
37 gubernatorial election.

38 The municipal officers of Drew Plantation shall declare the result of the vote. The
39 plantation clerk shall file a certificate of the election result with the Secretary of State
40 within 10 days from the date of the election.

