

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

SECOND REGULAR SESSION-2006

Legislative Document

No. 2030

S.P. 781

In Senate, February 28, 2006

An Act To Authorize the Deorganization of the Town of Cooper

The Majority of the Joint Standing Committee on State and Local Government pursuant to Resolve 2005, chapter 78, section 5, Reports the same Ought to Pass.

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

JOY J. O'BRIEN
Secretary of the Senate

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

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

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

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17 withdrawn from School Union No. 107.

18 **Sec. 4. Provision of education services.** Notwithstanding any other law, this
19 section entitles all kindergarten to grade 8 pupils in Cooper to attend school in Alexander
20 or East Machias and all secondary school pupils to attend school within School Union
21 No. 106 (Calais High School) or at Washington Academy in East Machias. Pupils must
22 be provided transportation at state expense to those schools.

23 **Sec. 5. Assessment of taxes.** The State Tax Assessor shall assess the real and
24 personal property taxes in the Town of Cooper as of April 1, 2007, as provided in the
25 Maine Revised Statutes, Title 36, chapter 115.

26 **Sec. 6. Referendum; certificate to Secretary of State.** This Act takes effect
27 90 days after its approval only for the purpose of permitting its submission by the
28 municipal officers to the legal voters of the Town of Cooper by ballot at the next
29 statewide election to be held in November. This election must be called, advertised and
30 conducted according to the Maine Revised Statutes, Title 30-A, sections 2528 and 2532.
31 The town clerk shall prepare the required ballots on which the clerk shall reduce the
32 subject matter of this Act to the following question:

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

34 The voters shall indicate their opinion on this question by a cross or check mark
35 placed against the word "Yes" or "No." Before becoming effective, this Act must be
36 approved by at least 2/3 of the legal voters voting at the election, and the total number of
37 votes cast for and against the acceptance of this Act at the election must equal or exceed
38 50% of the total number of votes cast in the town for Governor at the last gubernatorial
39 election.

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

