

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 1280

S.P. 442

In Senate, April 2, 2013

An Act Authorizing the Deorganization of the Town of Bancroft

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator SHERMAN of Aroostook.
Cosponsored by Representative LONG of Sherman and
Representative: WILLETTE of Mapleton.

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

2 **PART A**

3 **Sec. A-1. 20-A MRSA §8451, sub-§2, ¶B**, as repealed and replaced by PL 2011,
4 c. 679, §17, is amended to read:

5 B. Region 2. SOUTHERN AROOSTOOK COUNTY. Units located in this region
6 include:

7 ~~(1) Bancroft;~~

8 (2) Benedicta Township;

9 (3) Orient;

10 (4) Regional School Unit No. 29 doing business as School Administrative
11 District No. 29 (Hammond, Houlton, Littleton and Monticello);

12 (5) Regional School Unit No. 50 (Crystal, Dyer Brook, Hersey, Island Falls,
13 Merrill, Moro Plantation, Mount Chase, Oakfield, Patten, Sherman, Smyrna and
14 Stacyville);

15 (6) Regional School Unit No. 70 doing business as School Administrative
16 District No. 70 (Amity, Cary Plantation, Haynesville and Hodgdon) and Linneus,
17 Ludlow and New Limerick; and

18 (7) Regional School Unit No. 84 doing business as School Administrative
19 District No. 14 (Danforth and Weston).

20 **Sec. A-2. Effective date.** This Part takes effect July 1, 2015 if the deorganization
21 of the Town of Bancroft is approved pursuant to Part B, section 5.

22 **PART B**

23 **Sec. B-1. Deorganization of Town of Bancroft.** Notwithstanding any contrary
24 requirement of the Maine Revised Statutes, Title 30-A, chapter 302, if in accordance with
25 Title 30-A, section 7207 a majority of the voters in the Town of Bancroft approve the
26 deorganization procedure developed in accordance with Title 30-A, section 7205 and if
27 the deorganization is approved by the voters of the Town of Bancroft pursuant to section
28 5 of this Part, the Town of Bancroft in Aroostook County is deorganized, except that the
29 corporate existence, powers, duties and liabilities of the town survive for the purposes of
30 prosecuting and defending all pending suits to which the town is, or may be, a party and
31 all needful process arising out of any suits, including provisions for the payment of all or
32 any judgments or debts that may be rendered against the town or exist in favor of any
33 creditor.

34 **Sec. B-2. Unexpended school funds.** The treasurer of the town or any other
35 person who has custody of the funds of the town shall pay the Treasurer of State all
36 unexpended school funds that, together with the credits due the town for school purposes,
37 are to be used by the State Tax Assessor to settle any school obligations contracted by the
38 town before deorganization. Any unexpended school funds remaining with the Treasurer

1 of State after all the obligations have been met must be added to the Unorganized
2 Territory Education and Services Fund, as established in the Maine Revised Statutes,
3 Title 36, chapter 115.

4 **Sec. B-3. Provision of education services.** Notwithstanding any other law, this
5 section entitles all prekindergarten to grade 5 pupils in the Town of Bancroft to attend
6 school in Kingman Township, all grade 6 to grade 8 pupils to attend a school within
7 Maine School Administrative District 30, all grade 9 to grade 12 pupils to attend Lee
8 Academy and all pupils requiring special education services to obtain special education
9 services under the direction of the Director of Special Education for the Division of State
10 Schools - Education in Unorganized Territory. Pupils must be provided transportation at
11 state expense to those schools. Prior approval by the Director of State Schools -
12 Education in Unorganized Territory and the approval of tuition by the Commissioner of
13 Education are required for a pupil to attend a school other than one listed in this section.
14 Tuition may not exceed statutory limits. Transportation of a student who attends another
15 school is the responsibility of the parent or legal guardian. The provisions in this section
16 are subject to modification in response to educational conditions.

17 **Sec. B-4. Assessment of taxes.** The State Tax Assessor shall assess the real and
18 personal property taxes in the Town of Bancroft as of April 1, 2015, as provided in the
19 Maine Revised Statutes, Title 36, chapter 115.

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

27 "Shall the Town of Bancroft be deorganized?"

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

34 The municipal officers of the Town of Bancroft shall declare the result of the vote.
35 The town clerk shall file a certificate of the election result with the Secretary of State
36 within 10 days from the date of the election.

37 **Sec. B-6. Effective date.** Sections 1 to 4 of this Part take effect on July 1, 2015 if
38 deorganization is approved by the voters of the Town of Bancroft pursuant to section 5 of
39 this Part.

1

SUMMARY

2

This bill provides for the deorganization of the Town of Bancroft in Aroostook

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County, subject to approval at local referendum, including the removal of the Town of

4

Bancroft from Region 2 career and technical education region in statute.