

MAINE STATE LEGISLATURE

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N I N E T I E T H L E G I S L A T U R E

Legislative Document

No. 68

S. P. 84

In Senate, January 16, 1941.

Referred to Committee on Towns and sent down for concurrence. 500 copies ordered printed.

ROYDEN V. BROWN, Secretary.

Presented by Senator Chase of Washington.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-ONE

**AN ACT to Provide for the Surrender by Town of Baring of Its
Organization**

Emergency preamble. Whereas, the town of Baring is not able to function under its present organization; and

Whereas, immediate steps should be taken to take care of the present financial emergency; and

Whereas, in the judgment of the legislature, these facts create an emergency within the meaning of section 16 of Article XXXI of the constitution of Maine, and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. Organization of town of Baring may be surrendered. The organization of the town of Baring in the county of Washington as heretofore adopted is hereby surrendered; provided, however, that the corporate existence, powers, duties and liabilities of said town shall survive for the purpose of prosecuting and defending all pending suits and causes of suits to which said town is, or may be, a party and all needful process growing out of the same, including provisions for the payment of all or any judg-

ments or debts which may be rendered against such town or exist in favor of any creditor.

Sec. 2. School fund and unexpended funds. The school fund deposited to the credit of said town and all funds unexpended for school purposes at the time when this act becomes effective out of amounts raised by said town for school purposes or out of amounts paid by the state for school purposes shall be paid by the treasurer of said town or such other person in whose custody such funds may be, to the treasurer of state. Such amounts, so received, shall be added to the unorganized township funds as provided in section 23 of chapter 11 of the revised statutes.

Sec. 3. Ratification. This act shall take effect on approval by the governor for the purpose of permitting its acceptance or rejection by the legal voters of the town of Baring at any annual or special town meeting legally called to consider the acceptance of this act; an appropriate article being inserted in the call for said meeting.

If a majority of the qualified voters of the town, present and voting, voted in favor of the acceptance of this act, it shall become operative on April 1, 1941. A certificate of such vote shall be filed by the town clerk with the secretary of state.

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.

STATEMENT OF FACTS

The only industry in the town of Baring, a saw mill and box factory, was destroyed by fire in 1933.

In 1937 the Federal government started to acquire wild land for a Migratory game refuge and are still taking over property in Baring. The town has lost over 40% of its taxable property in this way and now have an assessed valuation of only \$45,399. The tax rate in 1939 was \$109 per thousand of valuation and in 1940 it was \$90. This reduction in the rate is due to an appropriation from the state equalization fund.

In 1937 the school building was destroyed by fire and the town now owes approximately \$2000 on the cost of the new building in addition to an outstanding debt of \$1000.

The population of the town is less than 200 persons.

At a special town meeting held on July 22, 1940, it was unanimously voted to surrender the town charter and the selectmen were given the authority to carry out the will of the inhabitants of the town of Baring.