

MAINE STATE LEGISLATURE

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N I N E T Y - S I X T H L E G I S L A T U R E

Legislative Document

No. 478

H. P. 431

House of Representatives, February 5, 1953

Referred to the Committee on Legal Affairs. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Jewett, Jr. of Bucksport.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-THREE

AN ACT to Repeal the Charter of the Lucerne-in-Maine Village Corporation.

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

Sec. 1. Organization of Lucerne-in-Maine Village Corporation repealed. Chapter 43 of the private and special laws of 1927, creating the Lucerne-in-Maine Village Corporation, and all acts additional thereto and amendatory thereof, are hereby repealed; provided, however, that the corporate existence, powers, duties and liabilities of said corporation shall survive for the purpose of prosecuting and defending all pending suits and causes of suits of which said corporation is, or may be, a party and all needful process growing out of the same, including provisions for the payment of any debts of or judgments which may be rendered against said corporation or exist in favor of any creditor.

Sec. 2. Referendum. This act shall take effect 90 days after the adjournment of this legislature only for the purpose of permitting its submission to the legal voters of the town of Dedham and to the legal voters of the Lucerne-in-Maine Village Corporation at a special meeting of both said town and said corporation to be held on the fourth Monday of August, 1953. The warrants calling such meeting shall contain appropriate articles for that purpose and such meetings shall be called and conducted according

to law governing municipal elections. In the call and conduct of the corporation meeting the board of overseers of the corporation shall act and perform all of the consistent lawful duties imposed upon municipal officials in the conduct of a municipal election. The board of overseers of the corporation shall perform the lawful duties imposed upon the board of registration with respect to the preparation and posting of a list of legal voters and, except as absent voting is provided for in city elections in chapter 6 of the revised statutes of 1944, as amended, all votes at each of said meetings shall be cast in person. The town clerk of the town of Dedham and the clerk of the Lucerne-in-Maine Village Corporation shall prepare proper ballots upon which the subject matter of this act shall be reduced to the following question: "Shall the Act to Repeal the Charter of the Lucerne-in-Maine Village Corporation, passed by the 96th legislature, be accepted?" and the voters of said town and of the said corporation shall indicate by a cross or check mark placed over the words "Yes" or "No" their opinion of the same. The result of the vote shall be declared by the municipal officers of said town of Dedham and by the overseers of said corporation, and a certificate of the result of the vote shall be filed by the clerk of said town and by the clerk of said corporation with the secretary of state immediately after the determination of the vote. This act shall become effective in full upon the date that the certificates of the result of each vote are filed with the secretary of state to the effect that this act is accepted by both the inhabitants of the town of Dedham and by the Lucerne-in-Maine Village Corporation.

Sec. 3. Transfer of property, etc. Immediately after this act becomes fully effective according to section 2 hereof, all the real and personal property, together with all accounts receivable, choses in action, and all other rights and benefits that may be then due and payable to, or would accrue to or for the benefit of the Lucerne-in-Maine Village Corporation shall be conveyed, transferred, assigned, delivered and paid over to the town of Dedham, and said town may assume and carry on all the functions of said Lucerne-in-Maine Village Corporation, and said town shall be authorized and empowered to raise funds by loan, or taxation, or both, from time to time, as found necessary, to carry on said functions and to defray the indebtedness thereof, if any.

It shall be the duty of the overseers of the Lucerne-in-Maine Village Corporation, at the time this act becomes fully effective, to execute and deliver, in behalf of said Lucerne-in-Maine Village Corporation, suitable and appropriate conveyances of all property, real and personal, of said corporation to said town.

Sec. 4. Contracts to be assumed by town of Dedham. Upon the acceptance of this act as provided in section 2 hereof, all valid contracts of said Lucerne-in-Maine Village Corporation shall be assumed and executed by the town of Dedham.