

MAINE STATE LEGISLATURE

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

Legislative Document

No. 714

H. P. 501

House of Representatives, February 12, 1959

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

HARVEY R. PEASE, Clerk

Presented by Mr. Frazier of Lee.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-NINE

**AN ACT Relating to Disposition of School Property in Unorganized
Territory.**

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

Sec. 1. R. S., c. 41, § 164-A, additional. Chapter 41 of the Revised Statutes is amended by adding thereto a new section to be numbered 164-A, to read as follows :

‘Sec. 164-A. Disposal of property or equipment. School property or equipment in unorganized territory may be sold, transferred or otherwise disposed of by the commissioner.

When such property is sold, the proceeds shall be expended as provided in section 164 for the benefit of the children in the unorganized unit where the property is located.’

Sec. 2. R. S., c. 102, § 13, amended. Section 13 of chapter 102 of the Revised Statutes, as amended by sections 1 and 2 of chapter 140 of the public laws of 1957, is further amended to read as follows :

‘Sec. 13. Power and authority of State Tax Assessor. Whenever the organization of any town or plantation has been terminated by act of the Legislature, the powers, duties and obligations relating to the affairs of said town or plantation shall be vested in the State Tax Assessor for not more than 5 years. **The State Tax Assessor shall have the authority to sell or otherwise dispose of any property, other than property formerly used or still being used for school purposes, the title of which rests in the town at the time of deorganization or may**

come to the town subsequent to deorganization. Such The State Tax Assessor shall have the power and authority to assess taxes any time after the act terminating the organization of the town or plantation becomes operative by making assessment once a year under the laws now relating to the assessment of state taxes in unorganized territory, and the State Tax Assessor shall have the same power and authority to enforce the collection of said taxes as is now provided for the collection of state taxes. All moneys received by virtue of said assessment and collection ~~as aforesaid,~~ **or disposal of property,** shall be applied to the payment of necessary expenses of the State Tax Assessor in making such assessment, and to the payment of any obligations of said town or plantation outstanding at the time of termination of its organization, and to the payment of state and county taxes assessed against such town or plantation and for the completion of any public works of said town or plantation already begun; ~~and when.~~ **When** in the best judgment of said State Tax Assessor final payment of all known accounts against said town, which has been or may be deorganized, has been made, or at the end of said period of 5 years, any funds unexpended, if any exist, shall be deposited by the former town if still in its possession, or by the Treasurer of State if in his possession, with the county commissioners as an offset against future road taxes in such deorganized town, as already set forth in chapter 89, section 65. If no road maintenance as ~~above~~ described exists in said town, said unexpended funds shall be expended on repairs, maintenance or restoration of such town enterprise as may be designated by the State Tax Assessor in his capacity as ~~hereinbefore~~ described in this section.

~~The State Tax Assessor shall have the authority to sell or otherwise dispose of any property, the title of which rests in the town at the time of deorganization or may come to the town subsequent to deorganization, provided that he shall first obtain written permission from the Commissioner of Education before disposing of any property formerly used or still being used for school purposes. Such sale or disposal may take place at any time subsequent to deorganization.~~

~~When school property is sold, the proceeds shall be expended as described in chapter 41, section 164, for the benefit of the children in the township where the property is located. The proceeds from all other sales shall be expended as described in the first paragraph of this section.'~~