

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND FOURTEENTH LEGISLATURE  
**FIRST SPECIAL SESSION**

August 21, 1989 to August 22, 1989

and

**SECOND REGULAR SESSION**

January 3, 1990 to April 14, 1990

THE GENERAL EFFECTIVE DATE FOR  
NON-EMERGENCY LAWS IS  
July 14, 1990

PUBLISHED BY THE REVISOR OF STATUTES  
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.

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J.S. McCarthy Company  
Augusta, Maine  
1990

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**PRIVATE AND SPECIAL LAWS**

**OF THE**

**STATE OF MAINE**

**AS PASSED AT THE**

**SECOND REGULAR SESSION**

**of the**

**ONE HUNDRED AND FOURTEENTH LEGISLATURE**

**January 3, 1990 to April 14, 1990**

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tion 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:**

**P&SL 1989, c. 47, §1, first sentence** is amended to read:

For ~~one year~~ 18 months following the effective date of this Act, the prohibition on solicitation under the Maine Revised Statutes, Title 25, section 3702, ~~shall~~ does not apply to persons authorized under section 2 of this Act to solicit funds for the payment of or to pay for any obligations incurred in the completion, erection and maintenance of one memorial to commemorate law enforcement officers slain in the line of duty, to be erected at a location selected by the Maine Chiefs of Police Association.

**Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective April 6, 1990.

## CHAPTER 115

H.P. 1667 - L.D. 2308

### An Act to Deorganize Plantation E in Aroostook County

**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** the citizens of Plantation E must vote on the deorganization of the plantation before the 90-day period after adjournment has elapsed; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning 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. Deorganization of Plantation E.** Plantation E in Aroostook County is deorganized, provided that the corporate existence, powers, duties and liabilities of the plantation shall survive for the purposes of prosecuting and defending all pending suits to which the plantation is, or may be, a party and all needful process arising out of any suits, including provisions for the payment of all or any judgments or debts which may be rendered against the plantation or exist in favor of any creditor.

**Sec. 2. Unexpended school funds.** The treasurer of the plantation or any other person who has cus-

tody of the funds of the plantation shall pay to the Treasurer of State all unexpended school funds, which together with the credits due the plantation for school purposes, are to be used by the State Tax Assessor to settle any school obligations contracted by the plantation before deorganization. Any unexpended school funds remaining with the Treasurer of State after all the obligations have been met must be added to the Unorganized Territory Education and Services Fund, as established in the Maine Revised Statutes, Title 36, chapter 115.

**Sec. 3. School debt.** The plantation treasurer or the person who has custody of the plantation funds shall pay \$18,000 to School Administrative District No. 42 as the plantation's share of the debt service. This amount must be paid within 30 days of the effective date of this section. School Administrative District No. 42 may retain any interest earned on this amount. Any remaining unexpended school funds, together with any credits due the plantation for school purposes, are to be paid to the State Treasurer. These funds, if any, are to be added to the Unorganized Territory Education and Services Fund.

**Sec. 4. Withdrawal from School Administrative District No. 42.** Plantation E is withdrawn from School Administrative District No. 42.

**Sec. 5. Assessment of taxes.** The State Tax Assessor shall assess the real and personal property taxes in Plantation E as of April 1, 1990, as provided in Title 36, chapter 115.

**Sec. 6. Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1990-91

#### EDUCATIONAL AND CULTURAL SERVICES, DEPARTMENT OF

##### Education in the Unorganized Territories

All Other \$81,691

Provides funds for the education costs of Plantation E. These additional expenditures will be offset by General Fund revenues collected through the Unorganized Territory Education and Services Fund.

##### General Purpose Aid for Local Schools

All Other (\$47,132)

Deappropriates funds no longer required for Plantation E.

DEPARTMENT OF EDUCATIONAL AND CULTURAL SERVICES  
 TOTAL \$34,559

FINANCE, DEPARTMENT OF  
 Tree Growth Tax Reimbursement  
 All Other (\$5,100)  
 Deappropriates funds no longer required for Plantation E.

DEPARTMENT OF FINANCE  
 TOTAL (\$5,100)

TOTAL APPROPRIATIONS \$27,459

**Sec. 7. Referendum; certificate to Secretary of State.** Notwithstanding Title 30-A, section 7209, the board of assessors of the plantation shall submit this Act to the legal voters of Plantation E by ballot at a special election to be held in May after passage of this Act. This election must be called, advertised and conducted according to the Maine Revised Statutes, Title 30-A, sections 2528 and 2532. The plantation clerk shall prepare the required ballots on which the clerk shall reduce the subject matter of this Act to the following question:

“Shall Plantation E be deorganized?”

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

The board of assessors of Plantation E shall declare the result of the vote. The plantation clerk shall file a certificate of the election result with the Secretary of State within 10 days from the date of the election.

**Emergency clause.** In view of the emergency cited in the preamble, section 7 of this Act takes effect when approved. Sections 1 to 6 take effect on July 1, 1990, if deorganization is approved by the voters of Plantation E pursuant to section 7.

Effective pending referendum, unless otherwise indicated.

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**CHAPTER 116**

**S.P. 984 - L.D. 2447**

**An Act to Ratify the Results of a Municipal Referendum Authorizing the Annexation of Cove Point Township by the Town of Greenville**

**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** Private and Special Law 1987, chapter 117, provided that, upon submission to the voters of Greenville for their approval at the next regular municipal election after its effective date, a parcel of land in Cove Point Township would be annexed to the Town of Greenville; and

**Whereas,** the voters of Greenville voted on the annexation at a special town meeting held on November 8, 1988; and

**Whereas,** questions have been raised about the efficacy of the November 8, 1988 special town meeting to satisfy the condition of approval at the next regular municipal election; and

**Whereas,** the Legislature finds that the purpose of the referendum approval required by the law was fulfilled; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning 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. Legislative findings.** Private and Special Law 1987, chapter 117, provided that, upon submission to the voters of Greenville for their approval at the next regular municipal election after its effective date and approval at that referendum, a parcel of land in Cove Point Township would be annexed to the Town of Greenville, the parcel bounded and described as follows: on the south by the Town of Greenville and on the west, north and east by Moosehead Lake, and being the same property as shown on a survey map dated 1915 and recorded in Plan Book 3, Page 3, in the Piscataquis County Registry of Deeds.

The Legislature finds that by warrant duly issued in the manner provided by law for the holding of municipal elections the voters of Greenville were instructed to vote on acceptance or rejection of Private and Special Law 1987, chapter 117, at a special town meeting held on November 8, 1988, at the time and place at which the general election for state offices was held and that at such time and place the voters of Greenville approved annexing the above described parcel to the Town of Greenville by a vote of 628 “Yes” to 280 “No,” such total number of votes for and against annexation being greater than 50% of the total votes cast for all candidates for Governor in Greenville at the last gubernatorial election.

The Legislature finds that on November 8, 1988, there were no legal voters in Cove Point Township.