

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act Authorizing the Deorganization of Drew Plantation**

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

**Sec. 1. Deorganization of Drew Plantation.** Drew Plantation in Penobscot County is deorganized, except that the corporate existence, powers, duties and liabilities of the plantation 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 that may be rendered against the plantation or exist in favor of any creditor.

**Sec. 2. Unexpended school funds.** The treasurer of Drew Plantation or any other person who has custody of the funds of the plantation shall pay to the Treasurer of State all unexpended school funds that, 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. Provision of education services.** Notwithstanding any other law, this section entitles all prekindergarten to grade 5 pupils in Drew Plantation to attend school in Kingman Township, all grade 6 to grade 8 pupils to attend school within Maine School Administrative District No. 30 and all grade 9 to grade 12 pupils to attend school at Lee Academy. Pupils must be provided transportation at state expense to those schools.

**Sec. 4. Assessment of taxes.** The State Tax Assessor shall assess the real and personal property taxes in Drew Plantation as of April 1, 2007, as provided in the Maine Revised Statutes, Title 36, chapter 115.

**Sec. 5. Referendum; certificate to Secretary of State.** This Act takes effect 90 days after its approval only for the purpose of permitting its submission by the municipal officers to the legal voters of Drew Plantation by ballot at the next general election to be held in November. 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:

"Do you favor the deorganization of Drew Plantation?"

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 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 municipal officers of Drew Plantation 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.

**Sec. 6. Effective date.** Sections 1 to 4 of this Act take effect on July 1, 2007 if deorganization is approved by the voters of Drew Plantation pursuant to section 5 of this Act.

### **SUMMARY**

This bill provides for the deorganization of Drew Plantation in Penobscot County, subject to approval at local referendum.