

# MAINE STATE LEGISLATURE

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S.P.  
R. of S.

L.D. 976

(Filing No. S- 76 )

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STATE OF MAINE  
SENATE  
116TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 324, L.D. 976, Bill, "An Act to Deorganize the Town of Greenfield"

Amend the bill by inserting after the title and before the emergency preamble the following:

'Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, two thirds of all of the members elected to each House have determined it necessary to enact this measure.'

Further amend the bill by inserting after the enacting clause the following:

'Sec. 1. 20-A MRSA §8451, sub-§2, ¶D, as amended by PL 1991, c. 518, §17, is further amended to read:

D. Region 4. SOUTHERN PENOBSCOT COUNTY. Units located in this region include: Alton; Amherst; Aurora; Bangor; Bradley; Brewer; Dedham; Glenburn; Great Pond Plantation; Greenbush; Greenfield; Hermon; Milford; Old Town; Orono; Orrington; Osborn Plantation; Veazie; School Administrative District No. 22 (Hampden, Newburgh and Winterport); School Administrative District No. 23 (Carmel and Levant); School Administrative District No. 38 (Dixmont and Etna); School Administrative District No. 63 (Clifton, Eddington and Holden); and School Administrative District No. 64 (Bradford, Corinth, Hudson, Kenduskeag and Stetson).'

**COMMITTEE AMENDMENT**

R. of S.

COMMITTEE AMENDMENT "A" to S.P. 324, L.D. 976

2 Further amend the bill by striking out all of section 3 and  
inserting in its place the following:

4 'Sec. 3. Withdrawal from School Union 90. The Town of  
6 Greenfield is withdrawn from School Union No. 90.'

8 Further amend the bill in section 4 in the next to the last  
line (page 1, line 44 in L.D.) by striking out the following:  
10 "1994" and inserting in its place the following: '1993'

12 Further amend the bill by striking out all of section 6 and  
inserting in its place the following:

14 'Sec. 6. Effective date. Section 6 of this Act takes effect  
16 when approved. Sections 1 to 5 and section 7 of this Act take  
effect on July 1, 1993, if deorganization is approved by the  
18 voters of the Town of Greenfield pursuant to section 6 of this  
Act.'

20 Further amend the bill by inserting before the emergency  
22 clause the following:

24 'Sec. 7. Appropriation. The following funds are appropriated  
from the General Fund to carry out the purposes of this Act.

26 1993-94 1994-95

28 CONSERVATION, DEPARTMENT OF

30 Maine Land Use Regulation  
32 Commission

34 All Other \$10,000

36 Provides funds for the cost  
of mapping and related  
38 expenses. This appropriation  
is contingent upon approval  
40 by the voters of the Town of  
Greenfield. If approved,  
42 these expenditures will be  
offset by an equal increase  
44 of undedicated General Fund  
revenue.

46 DEPARTMENT OF CONSERVATION  
48 TOTAL \$10,000

50 EDUCATION, DEPARTMENT OF

R. of S.

**Education in the Unorganized Territory**

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All Other \$404,000 \$418,000

Provides funds for the cost of educating students in the Town of Greenfield. This appropriation is contingent upon approval by the voters of the Town of Greenfield. If approved, these expenditures will be offset by an equal increase of undedicated General Fund revenue.

**DEPARTMENT OF EDUCATION TOTAL** \$404,000 \$418,000

**TOTAL APPROPRIATIONS** \$414,000 \$418,000

Further amend the bill by renumbering the sections to read consecutively.

Further amend the bill by inserting before the statement of fact the following:

**FISCAL NOTE**

1993-94 1994-95

**APPROPRIATIONS/ALLOCATIONS**

General Fund \$414,000 \$418,000

**REVENUES**

General Fund \$414,000 \$418,000

This bill requires the Town of Greenfield to make additional expenditures for a special election. Pursuant to the Mandate Preamble, the two-thirds vote of all members elected to each House exempts the State from the constitutional requirement to fund 90% of the additional local cost of this requirement.

If approved by the voters of Greenfield, the Department of Education will require additional General Fund appropriations to

A. of S.

2 education in the unorganized territory of \$404,000 in fiscal year  
3 1993-94 and \$418,000 in fiscal year 1994-95. The Maine Land Use  
4 Regulation Commission will require an additional General Fund  
5 appropriation of \$10,000 in fiscal year 1993-94. General Fund  
6 revenues collected through the Unorganized Territory Education  
7 and Services Fund would increase by \$414,000 in fiscal year  
8 1993-94 and \$418,000 in fiscal year 1994-95 to offset these  
9 additional expenses. The additional General Fund appropriations  
10 included in this bill and the resulting additional General Fund  
11 revenues are contingent upon the approval by the voters of the  
12 Town of Greenfield.

13  
14 The transfer of educational expenditures to the unorganized  
15 territory will result in savings of approximately \$200,000 in  
16 each of fiscal years 1993-94 and 1994-95 to general purpose aid  
17 for local schools. Tree growth tax reimbursement will also  
18 realize some minor savings. The Governor's proposed current  
19 services budget includes changes which may affect this bill's  
20 impact on general purpose aid for local schools and tree growth  
21 tax reimbursement. This estimate of the fiscal impact may need  
22 to be adjusted based on final legislative actions on the current  
23 services budget.'

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25 **STATEMENT OF FACT**

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27 The bill deorganizes the Town of Greenfield. This amendment  
28 clarifies the bill in several ways.

29  
30 The bill requires the Town of Greenfield to hold a special  
31 election following enactment of this bill for the purposes of  
32 securing final approval of deorganization by the voters of the  
33 town. That election would require additional local expenditures  
34 and could be termed a "mandate" under the Maine Constitution,  
35 Article IX, Section 21 which would require 90% state funding.  
36 The amendment adds a preamble to the bill authorizing passage of  
37 the bill without state funding if enacted by a 2/3-vote of the  
38 membership of both bodies.

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40 The amendment corrects the reference to the school unit from  
41 which Greenfield is withdrawing and inserts language withdrawing  
42 the town from Secondary Applied Technology Region 4.

43  
44 The amendment directs the State Tax Assessor to assess real  
45 and personal property by April 1, 1993, adds an appropriation and  
46 a fiscal note to the bill.

Reported by Senator Berube for the Committee on State  
and Local Government. Reproduced and Distributed Pursuant  
to Senate Rule 12.  
(4/15/93) (Filing No. S-76)