

MAINE STATE LEGISLATURE

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R. of S.

L.D. 1608

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NATURAL RESOURCES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
117TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1176, L.D. 1608, Bill, "An Act Authorizing the Town of Mount Vernon to Withdraw from the Cobbossee Watershed District"

Amend the bill by striking out the title and substituting the following:

'An Act Creating a Process for Municipalities to Withdraw from the Cobbossee Watershed District'

Further amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'Sec. 1. P&SL 1971, c. 95, sub-§§16 and 17 are enacted to read:

Sec. 16. Procedure for municipal withdrawal from district. The voters of a municipality may, in accordance with the procedures of this section and the secret ballot referendum or initiative provisions of the Maine Revised Statutes, Title 30-A, section 2528, elect to withdraw from the district.

1. The municipal officers of the municipality considering withdrawal must notify the executive director of the district or chair of the board of trustees, in writing, at least 45 days before the date of the referendum vote. Timely notice must also be provided in the same manner of the time, date and place of the public hearing to be provided pursuant to Title 30-A, section 2528, subsection 5.

2. The municipal officers shall cause the question to be placed on the ballot in the following form: "Shall the voters of

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2 the (town or city) of _____ elect to withdraw from the
3 Cobbossee Watershed District, with the withdrawal becoming
4 effective at the conclusion of the district's current fiscal
5 year?" The voters shall indicate by a cross or a check mark
6 placed against the word "Yes" or "No" their opinion of the same.

8 3. If a majority of the registered voters casting a ballot
9 on the withdrawal question elect to withdraw from the district,
10 the withdrawal becomes effective at the conclusion of the
11 district's fiscal year, but only if the total number of votes
12 cast for and against withdrawal equal or exceed 15% of the total
13 vote for all candidates for Governor cast in that municipality at
14 the immediately preceding gubernatorial election.

16 4. If a majority of the registered voters casting a ballot
17 on the withdrawal question do not elect to withdraw from the
18 district, or if the total number of votes cast for and against
19 the question is less than 15% of the total vote for all
20 candidates for Governor cast by voters in that municipality at
21 the immediately preceding gubernatorial election, the withdrawal
22 process established by this section is not available to the
23 municipality for a period of 2 years from the date of the
24 unsuccessful withdrawal vote.

26 **Sec. 17. Distribution of liabilities upon withdrawal.** The district
27 shall develop a process for equitably distributing the district's
28 financial liabilities to a municipality that elects to withdraw
29 from the district in accordance with section 16. The process
30 must be developed not later than January 1, 1997.'

32 STATEMENT OF FACT

34 This amendment allows the voters of any municipality in the
35 district to elect to withdraw the municipality from the Cobbossee
36 Watershed District. The amendment also requires the district to
37 establish a process for equitably distributing the financial
38 liabilities of the district when a municipality elects to
39 withdraw.
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