

MAINE STATE LEGISLATURE

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MINORITY
STATE AND LOCAL GOVERNMENT

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 899, L.D. 1216, Bill, "An Act to Allow the Separation of Frye Island from the Town of Standish"

Amend the bill by inserting after the title and before the enacting clause 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 in Part A in section 1 in the 10th and 11th lines (page 1, lines 14 and 15 in L.D.) by striking out the following: "November 1, 1997" and inserting in its place the following: 'July 1, 1998'

Further amend the bill in Part A in section 2 in the 5th line (page 1, line 24 in L.D.) by striking out the following: "October 3, 1997" and inserting in its place the following: 'October 14, 1997'

Further amend the bill in Part A in section 3 in the last line (page 2, line 7 in L.D.) by striking out the following: "November 1, 1997" and inserting in its place the following: 'July 1, 1998'

Further amend the bill in Part A in section 4 in the 9th line (page 2, line 17 in L.D.) by striking out the following: "November 1, 1997" and inserting in its place the following: 'July 1, 1998'

COMMITTEE AMENDMENT

2 Further amend the bill in Part A in section 5 in the 4th
line (page 2, line 27 in L.D.) by striking out the following:
4 "November 1, 1997" and inserting in its place the following:
'July 1, 1998'

6
8 Further amend the bill in Part A in section 6 in the 3rd
line (page 2, line 36 in L.D.) by striking out the following:
10 "November 1, 1997" and inserting in its place the following:
'July 1, 1998'

12 Further amend the bill in Part A in section 6 in subsection
1 in the 4th line (page 2, line 42 in L.D.) by striking out the
14 following: "November 1, 1997" and inserting in its place the
following: 'July 1, 1998'

16
18 Further amend the bill in Part A in section 6 by striking
out all of subsection 2 (page 2, lines 46 to 50 and page 3, lines
1 to 4 in L.D.) and inserting in its place the following:

20
22 '2. Town of Standish taxes that are due from Frye Island
property owners as of July 1, 1998 will continue to be owed to
the Town of Standish after separation. Tax liens on behalf of
24 the Town of Standish attributable to those taxes remain valid.'

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

28
30 '**Sec. B-2. Agreement binding.** Negotiation under section 1 of
this Part must be completed by September 22, 1997. The agreement
must be reduced to writing and is final and binding on the Town
32 of Standish and the Town of Frye Island upon incorporation of the
Town of Frye Island as of July 1, 1998, if the referendum
34 question in Part A is approved.'

36 Further amend the bill in Part C in section 1 in the last
line (page 4, line 42 in L.D.) by striking out the following:
38 "November 1, 1997" and inserting in its place the following:
'July 1, 1998'

40
42 Further amend the bill by inserting at the end of Part C and
before the summary the following:

44 '**Sec. C-6. Transfer of Frye Island Municipal Services Corporation**
assets. The Frye Island Municipal Services Corporation shall
46 transfer any assets remaining in the corporation at the time of
repeal of its charter to the Town of Frye Island.

48
50 **Sec. C-7. P&SL 1975, c. 138, as amended, is repealed.**

2 **Sec. C-8. Effective date.** This Part takes effect upon
incorporation of the Town of Frye Island pursuant to Part A of
4 this Act, except that section 7 takes effect 2 years after the
date of incorporation.'

6 Further amend the bill by inserting at the end before the
summary the following:
8

10 **FISCAL NOTE**

12 This bill includes several requirements on the Town of
Standish including holding a special referendum for the residents
14 of Frye Island and allocating debts and assets. The additional
costs of this state mandate can not be determined. Pursuant to
16 the Mandate Preamble, the two-thirds vote of all members elected
to each House exempts the State from the constitutional
18 requirement to fund 90% of the additional local costs.'

20 **SUMMARY**

22 The amendment adds a mandate preamble, changes the
separation date from November 1, 1997 to July 1, 1998 and changes
24 the referendum date from October 3, 1997 to October 14, 1997. It
also removes the requirement for binding arbitration on issues
26 not resolved by a certain date and changes the date for resolving
agreements through negotiation to September 22, 1997. Finally,
28 it repeals the charter of the Frye Island Municipal Services
Corporation 2 years after the incorporation of the Town of Frye
30 Island and requires that all assets of the corporation remaining
at the time of repeal be transferred to the Town of Frye Island
32 and adds a fiscal note to the bill.