

MAINE STATE LEGISLATURE

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L.D. 1984

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MAJORITY
STATE AND LOCAL GOVERNMENT

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1420, L.D. 1984, Bill, "An Act to Amend the Laws Governing Secession"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

Sec. 1. 30-A MRSA c. 113, sub-c. II is amended by repealing the subchapter headnote and enacting the following in its place:

SUBCHAPTER II

SECESSION PROCESS

Sec. 2. 30-A MRSA §2172, as enacted by PL 1995, c. 377, §2, is further amended by repealing and replacing the headnote to read:

§2172. Information to be submitted with legislation proposing secession

Sec. 3. 30-A MRSA §2172, first ¶, as enacted by PL 1995, c. 377, §2, is amended to read:

A territory that seeks to have legislation submitted on its behalf proposing its secession from a municipality shall provide the Legislature with the following information, if--available,

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which the Legislature may use in making a determination on a proposal for secession:

Sec. 4. 30-A MRSA §2172, sub-§1, as enacted by PL 1995, c. 377, §2, is repealed and the following enacted in its place:

1. Report on attempts to resolve differences. As required in section 2173, a report on attempts by the secession territory to resolve concerns that have caused the desire to secede from the municipality. If a neutral 3rd party was involved in the attempt to resolve concerns through alternative dispute resolution methods such as mediation, facilitation or arbitration, the territory must also submit a report from the neutral 3rd party;

Sec. 5. 30-A MRSA §2173 is enacted to read:

§2173. Local effort prior to seeking secession legislation

Before requesting the introduction of secession legislation, secession proponents must request an opportunity to meet with the municipal officers of the municipality from which they seek to secede, to attempt to resolve concerns that have created the desire to secede. The request must be made in writing to the municipal officers, must specify the concerns the secession proponents wish to discuss and must request that the issue be placed on the agenda of a regular meeting of the municipal officers. If secession legislation is later introduced, the proponents of secession shall report to the Legislature the results of their request and the contents and result of any meeting held to attempt to resolve concerns.'

SUMMARY

This amendment requires that proponents of secession seek a meeting with the municipal officers of the municipality from which they wish to secede, for the purpose of attempting to resolve the concerns that have caused them to consider secession. The proponents are required, prior to seeking legislation, to make a written request to the officers to add the issue to the agenda for a regular meeting of the officers. The officers are not required to place the item on the agenda, but the results of the request and of any meetings that take place must be reported to the committee of the Legislature considering the secession request by the secession proponents. As defined in the Maine Revised Statutes, Title 30-A, the municipal officers are the selectmen or councilors of a town or the mayor and aldermen or councilors of a city.

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2 The amendment also changes the provision relating to
information submitted to the Legislature to require that the
4 listed information be provided, rather than requiring it to be
provided if available.

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