### MAINE STATE LEGISLATURE

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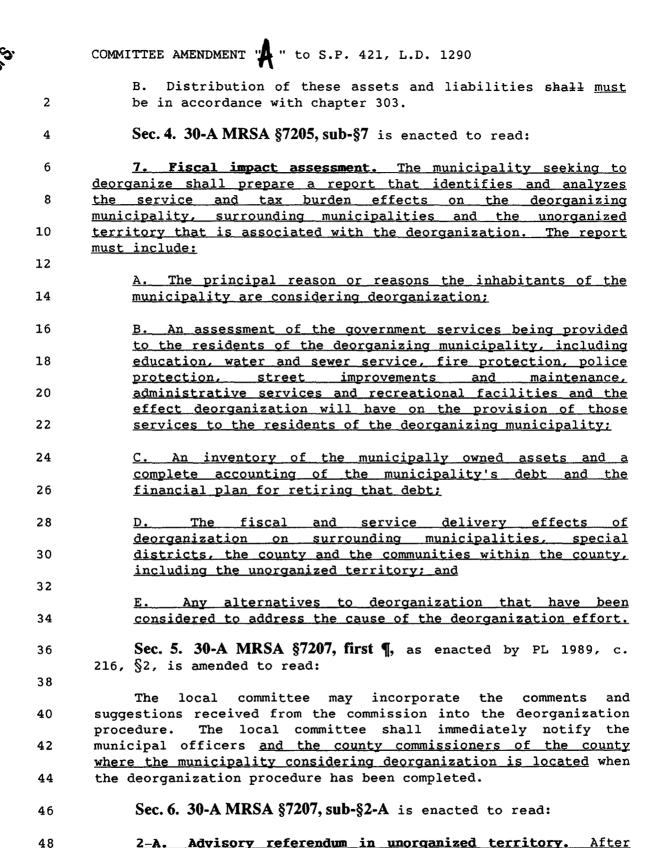
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2	DATE: <b>5-8-03</b>	(Filing No. S- (2))
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6	STATE AND LOCAL	GOVERNMENT
8	Reported by:	
10	Reproduced and distributed under of the Senate.	the direction of the Secretary
12	STATE OF	MAINE
14	SENA 121ST LEGIS	TE
16	FIRST REGULA	AR SESSION
18	COMMITTEE AMENDMENT " A' to	S.P. 421, L.D. 1290, Bill, "An
20	Act To Provide Requirements for To	wns To Deorganize"
22	Amend the bill by striking ou	t all of section 1.
24	Further amend the bill by stringerting in its place the following	riking out all of section 3 and
26	<u>-</u>	
28	216, §2, is amended to read:	0-\$3, as enacted by PL 1989, c.
30	<ol> <li>Distribution of financia deorganization procedure shall mus</li> </ol>	l liabilities and assets. The
32	of all financial and other intance the municipality, including liabi	gible liabilities and assets of
34	municipality in any other political by the deorganization. These assets	al subdivision that are affected
36	are not limited to, outstanding contractual obligations that exte	g bonds, notes and any other
38	deorganization. The service of a debt backed by a pledge of the	ll bonded indebtedness or other
40	authorized by the legal voters of prior to deorganization remains	f the deorganizing municipality
42	residents of the municipality and or in part to the residents of	may not be transferred in whole
44	boundaries of the deorganizing mu properly reissued.	
46	broberty tersonen.	
		onsible for determining these
48	assets and liabilities and in the deorganization procedure.	acorporating these provisions in
50	- · · · ·	

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receiving notice from the local committee that the deorganization

procedure is complete, the county commissioners may hold an

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advisory referendum on the deorganization in the unorganized
territory in the county according to the procedures provided in
this subsection. The county commissioners may not hold ar
advisory referendum until a system for identifying voters in the
unorganized territory is established. Any advisory referendum
must be held within 60 days of the receipt of notice from the
municipality that the deorganization process is complete.

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The method of voting must be by secret ballot in the manner prescribed for state elections. The county commissioners shall notify the residents of the unorganized territory of the date on which the referendum will be held. The county clerk shall prepare the ballots on which the following guestion must appear:

"Do you support the deorganization of (name of municipality)?"

The legal voters of the unorganized territory shall vote by ballot on this question and shall designate their choice by a cross or check mark placed within a corresponding square below the words "Yes" or "No." The ballots must be received, sorted and counted by the county clerk, and the county commissioners shall declare the results of the vote. The county clerk shall file a certificate of the advisory referendum results with the Secretary of State within 10 days of the advisory referendum. The clerk shall forward the results of the advisory referendum to the commission and to the executive director, who shall forward the results of the vote to the joint standing committee of the Legislature having jurisdiction over local government matters.

### Sec. 7. 30-A MRSA §7209, sub-§4 is enacted to read:

4. Limitation. If the voters of a municipality reject deorganization in an advisory referendum held pursuant to this section, the municipality may not submit a deorganization plan to the Legislature for a period of 3 years from the date of that advisory referendum.'

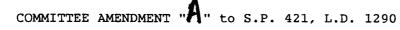
Further amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

#### SUMMARY

This amendment clarifies that all debt incurred by a municipality prior to deorganization will be the responsibility of the residents of the community and not the entire population of the unorganized territory. It directs the deorganizing community to conduct a fiscal impact analysis. It also

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- authorizes the county commissioners in the county where the municipality considering deorganization is located to hold an advisory referendum on the deorganization. Finally, it requires a municipality that has rejected the deorganization to wait 3
  - years before reinitiating the process.

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