

MAINE STATE LEGISLATURE

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2 Date: 05-25-07

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3 STATE AND LOCAL GOVERNMENT

4 Reproduced and distributed under the direction of the Secretary of the Senate.

5 STATE OF MAINE

6 SENATE

7 123RD LEGISLATURE

8 FIRST REGULAR SESSION

Minority

9 COMMITTEE AMENDMENT "A" to S.P. 637, L.D. 1793, Bill, "An Act To
10 Authorize Peaks Island, House Island, Pumpkin Knob and Catnip Island To Secede from
11 the City of Portland"

12 Amend the bill by inserting after the title and before the enacting clause the
13 following:

14 'Mandate preamble. This measure requires one or more local units of government
15 to expand or modify activities so as to necessitate additional expenditures from local
16 revenues but does not provide funding for at least 90% of those expenditures. Pursuant to
17 the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to
18 each House have determined it necessary to enact this measure.'

19 Amend the bill in Part A in section 2 by striking out all of the first paragraph (page 1,
20 lines 22 to 27 in L.D.) and inserting the following:

21 'Sec. A-2. Referendum election. This Part takes effect 90 days after
22 adjournment of the First Regular Session of the 123rd Legislature for the purpose of
23 submitting this Part's provisions to the voters of the Peaks Island territory at a special
24 referendum election to be held on June 15, 2008. Warrants must be issued for this
25 election notifying the qualified voters to vote on the approval or rejection of this Part.'

26 SUMMARY

27 This amendment, which is the minority report, clarifies that the agreement between
28 the Peaks Island territory and the City of Portland is to be submitted to a referendum
29 election of the voters of the Peaks Island territory. It also adds a mandate preamble.

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



123rd MAINE LEGISLATURE

LD 1793

LR 1874(02)

An Act To Authorize Peaks Island, House Island, Pumpkin Knob and Catnip Island To Secede from the City of Portland

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: State and Local Government

Fiscal Note Required: Yes

Fiscal Note

State Mandate - Exempted

Potential future impact - local school administrative units

State Mandates

Required Activity

The required negotiations and binding arbitration process established in section B-2 create a state mandate pursuant to the Maine Constitution. The additional costs to the City of Portland to hold meetings and negotiate as part of the proposed arbitration process should not be significant. 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 costs.

Unit Affected

Municipality

Costs

Insignific

Fiscal Detail and Notes

Although this legislation will not change the total cost of K-12 public education or the amount needed to fund the state's share, it may affect the distribution of state subsidy to local school administrative units beginning in fiscal year 2009-10. The impact to individual school administrative units can not be determined at this time.