

§2172. Information to be submitted with legislation proposing secession

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, which the Legislature may use in making a determination on a proposal for secession: [PL 1997, c. 699, §3 (AMD).]

1. Report on attempts to resolve differences. 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; [PL 1999, c. 381, §3 (AMD).]

2. Effective date. The date on which a proposed secession is effective; [PL 1995, c. 377, §2 (NEW).]

3. Provision of educational services. Plans for the provision of educational services, including school transportation services for all students in the proposed secession territory; [PL 1995, c. 377, §2 (NEW).]

4. Distribution of tangible assets and liabilities. Plans regarding the distribution of assets and liabilities; [PL 1995, c. 377, §2 (NEW).]

5. Information about municipality. The following information concerning the municipality and the proposed secession territory:

A. Present population, past population change and projected population for the secession territory; [PL 1995, c. 377, §2 (NEW).]

B. Quantity of land within the secession territory proposed for incorporation; the natural terrain of the secession territory, including general topography, major watersheds, soil conditions; and such natural features as rivers and lakes; [PL 1995, c. 377, §2 (NEW).]

C. Present pattern of physical development in the secession territory, including residential, industrial, commercial, agricultural and institutional land uses; and the present transportation network and potential transportation issues, including proposed highway development; [PL 1995, c. 377, §2 (NEW).]

D. Land use controls and planning presently being utilized in the secession territory, including comprehensive plans for development in the secession territory; [PL 1995, c. 377, §2 (NEW).]

E. Present governmental services being provided to the secession territory, including water and sewer service, fire protection, police protection, street improvements and maintenance, administrative services and recreational facilities; [PL 1995, c. 377, §2 (NEW).]

F. Existing or potential problems of environmental pollution and the need for additional services to resolve these problems; [PL 1995, c. 377, §2 (NEW).]

G. Fiscal data of the secession territory, including the net tax capacity of the proposed secession territory and the impact on the municipality from which the territory proposes to secede; the present bonded indebtedness; and the local tax rates of the county, school district and municipality; [PL 1995, c. 377, §2 (NEW).]

H. Effect of the proposed incorporation on communities adjacent to the secession territory and on school districts within and adjacent to the secession territory; and [PL 1995, c. 377, §2 (NEW).]

I. Ability of municipal government to deliver services to the secession territory; and [PL 1995, c. 377, §2 (NEW).]

[PL 1995, c. 377, §2 (NEW).]

6. Community support. The extent to which the proposed secession territory and the affected municipality or municipalities have demonstrated support or opposition for a proposal for secession, including the use of petitions, votes or other methods of indicating support or opposition.

[PL 1995, c. 377, §2 (NEW).]

SECTION HISTORY

PL 1995, c. 377, §2 (NEW). PL 1997, c. 699, §§2-4 (AMD). PL 1999, c. 381, §3 (AMD).

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