

§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).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Regular and First Special Session of the 131st Maine Legislature and is current through November 1, 2023. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.
