

## **Joint Standing Committee on State and Local Government**

### **Testimony in support of LD 49 – An Act Authorizing the Deorganization of Drew Plantation**

**Presented by Nancy V. Bodine, Fiscal Administrator of the Unorganized Territory on 1/31/23**

Senator Nangle, Representative Stover and distinguished members of the State and Local Government Committee. My name is Nancy Bodine. I am the Fiscal Administrator of the Unorganized Territory and the chair of the Commission on Municipal Deorganization. I am here today to testify in support of LD 49, a bill that authorizes the deorganization of Drew Plantation.

Drew Plantation is a small plantation in Penobscot County with a population and tax base that have significantly decreased over the past 20 years. In 2003, with a population of approximately 55, the citizens initiated the deorganization process for these same reasons. Legislation was approved and signed in 2006 during the 122<sup>nd</sup> Session - LD 1762. The citizens' final vote was to maintain municipal status and not to deorganize. Since then, the population has decreased even further to 25 with even fewer citizens available to manage the municipally. The tax base has decreased due to transfers of taxable property to the Mattawamkeag River System Wildlife Management Area, a tax-exempt organization. With Drew Plantation's annual budget of approximately \$100k to \$150k, a significant change in spending can shift the mil rate dramatically. The mil rate has fluctuated from \$19 to \$35 per thousand over the past six years.

For these reasons, the citizens have reconsidered the need to deorganize. In January of 2022, Drew Plantation held a special town election to identify a group of citizens to prepare and support the deorganization process and manage the town during this time. These officials have worked to organize existing municipal records and documentation to support municipal compliance and the deorganization process. Attached is a diagram of the Municipal Deorganization Process.

In February of 2022, a petition was signed by the voters of Drew Plantation to hold a special deorganization town meeting. On 3/8/22, Drew Plantation requested that the members of the Commission on Municipal Deorganization (CMD) attend the town meeting to discuss the deorganization process and answer their questions. Following the meeting, a vote was held, 14 yes 0 no 4 absentee, to proceed with the process. The results were communicated to the Executive Director of Legislature.

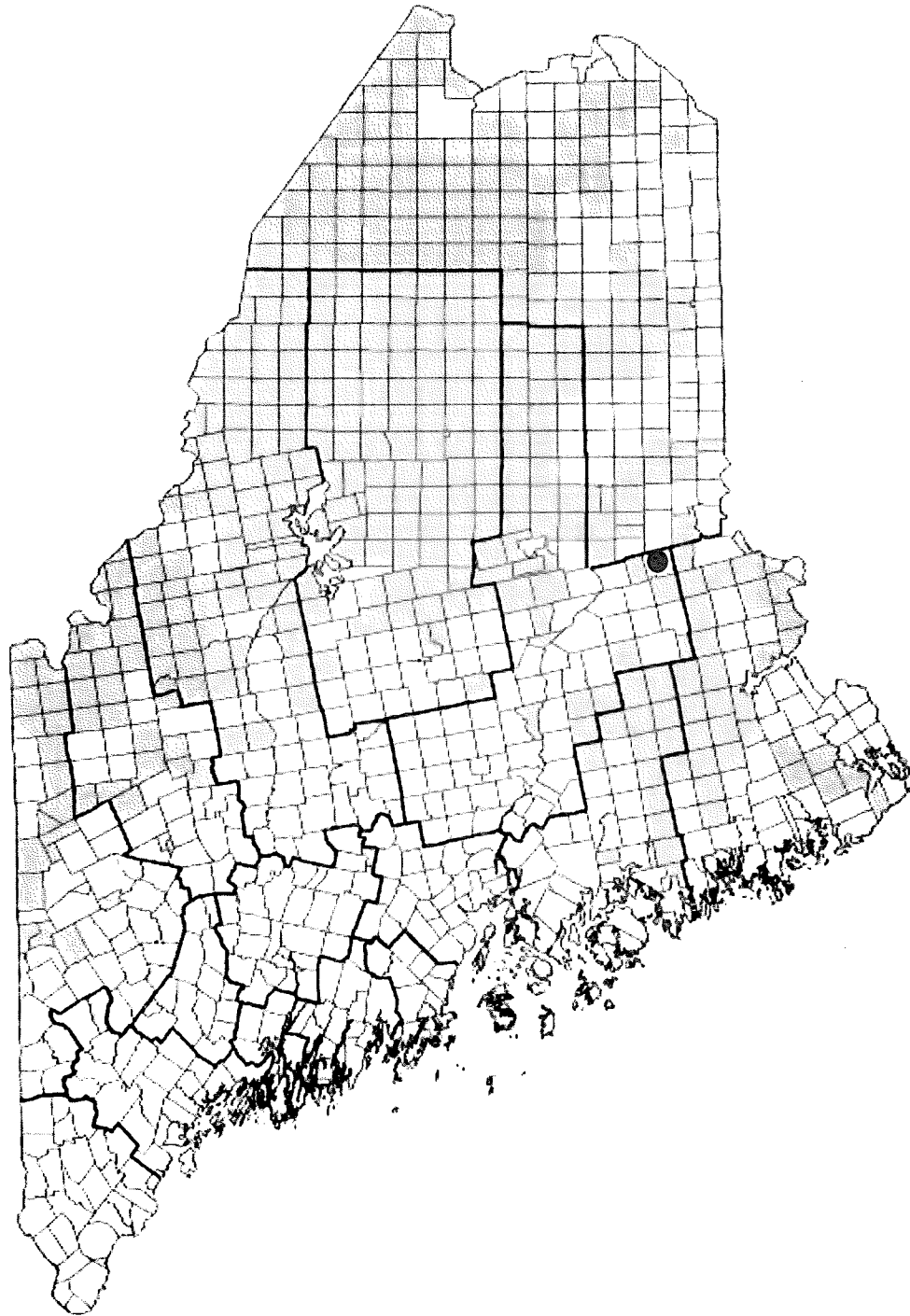
Per statute a municipality with a population of less than 50 can request that the CMD develop the required deorganization procedure. Drew Plantation made this request and the CMD prepared and presented the deorganization procedure for their review and approval on 6/23/22. The vote was, 12 yes 0 no 5 absentee, to approve the procedure and to move forward. The results and a copy were communicated to the Executive Director of Legislature.

The deorganization procedure documents the requirements of the deorganization statute, Title 30-A, Chapter 302, and documents the deorganization effective date of 7/1/23. The procedure includes the provisions for education, an inventory of assets and debt, road and bridge-inventory and condition (MDOT review), historic information about the municipality, how current services would be impacted by deorganization, and reasons for deorganizing. The overall fiscal impact estimate is dependent on finalizing property assessments and service agreements.

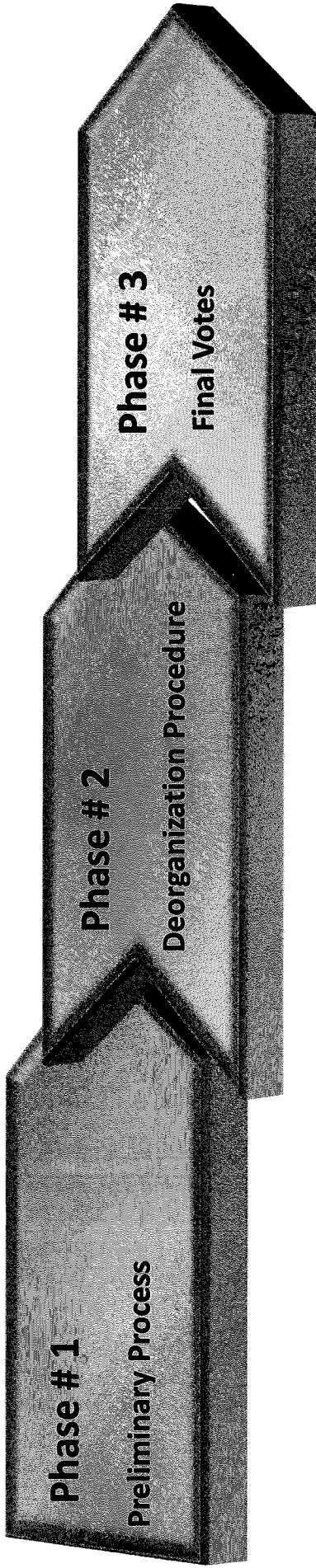
Legislation was prepared and submitted to the Revisor's Office on 7/27/22. Senator Trey Stewart, representing Drew Plantation in his district, is sponsoring the bill.

Thank you for the opportunity to testify on LD 49.

**Unorganized Territory – Municipal Cost Component Map**  
● Drew Plantation



# Abbreviated Municipal Deorganization Process



- 1 - Petition for Deorganization
- 2 - **Public Hearing in Town**
- 3 - Vote to Approve Pursuit of Abbreviated Deorganization Process
- 4 - Written Notification to Legislature & Fiscal Administrator by Town Clerk of Vote Result

- 1 - State Commission Writes Deorganization Procedure (DP)
- 2 - State Commission (SC) declares the DP is complete.
- 3 - **Public Hearing in Town**
- 4 - Town Voters Approve DP
- 5 - Town Clerk reports Vote to Legislature, Fiscal Admin, and Secretary of State

- 1 - SC Reviews Approved DP
- 2 - **Public Hearing at Legislature State and Local Government Committee**
- 3 - Legislature Approves Bill for Deorganization
- 4 - **Final Town Secret Ballot** to Approve Deorganization
  - a. Held in a General Election Year
  - b. 2/3rds Majority of those casting ballots
  - c. At least 50% of voters who cast ballots in last gubernatorial election must vote on the deorganization question.

**REFERENCE: Title 30-A: Municipalities and Counties, Chapter 302: Deorganization of Municipalities and Plantations**  
**NOTE : If any vote to approve is rejected by the Municipality Voters or by the Legislature, the deorganization process ends.**

**Contact : Nancy V. Bodine, Fiscal Administrator, 624-6250 or Nancy.Bodine@maine.gov**

# **The Deorganization Procedure for Drew Plantation**

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Prepared and approved by the State Commission on Municipal Deorganization  
for Drew Plantation

### **Section 3: Distribution of Financial Liabilities and Assets**

#### **General Information:**

Any financial liabilities or other liabilities of Drew Plantation that are known at the effective date of the deorganization or that are discovered after the effective date of deorganization must be paid from property taxes assessed against Drew Plantation or Drew Township. Any financial obligations or other liabilities of Drew Plantation or of any school district in deorganized Drew Township are hereby excepted and reserved in accordance with Title 30-A § 7303 and will remain liabilities for the inhabitants of lawful age residing in the territory included in the Drew Township for the duration of the liability. The State Tax Assessor shall assess amounts against the property owners in the deorganized municipality to satisfy any additional liabilities that are discovered after the effective date of the deorganization for the duration of those liabilities. These financial obligations or other liabilities of Drew Plantation or of Drew Township are not the responsibility of either the Maine Department of Education in the Unorganized Territory (EUT), or the taxpayers in the Unorganized Territory Tax District.

#### **Education:**

At the time of Deorganization, July 1, 2023, all educational financial obligations will be paid. This would include all tuition paid to Mt. Jefferson Junior High School and Lee Academy.

#### **Notice to Vendors:**

Drew Plantation will give deorganization notice to all vendors and will terminate and pay for any services provided by these vendors on or before June 30, 2023.

### **Section 4: Distribution of Tangible Assets & Liabilities**

Upon deorganization, any unpaid property taxes and available fund balance will be transferred to the State of Maine, Property Tax Division. The fund balance will be processed in accordance with Title 30-A, Chapter 303, Section 7304.

Drew Plantation currently owns 5 parcels of land, a fire truck, town office (Quonset hut) and the contents of the town office. If the vote to deorganize is affirmative, all town owned property, including land with clear title/deed, will be sold and funds will be recorded in the municipality's general fund prior to the date of deorganization, July 1, 2023. Any unsold property will be deeded to or become property of Penobscot County or the State of Maine and will be sold in accordance with the law or be held in trust for the unorganized territory.

Sand/Salt Pile – The remaining sand/salt pile is currently not considered useful. The residents of Drew Plantation will dispose of this material before the deorganization effective date. Upon sale of the property where the sand/salt pile is currently located, Drew Plantation will communicate the prior use of the property, as the prior sand/salt pile location, to the buyer since responsibility for any impact will transfer to the new owner.

The related land is to be sold or transferred to Penobscot County:

- 1 acre - Lot 8 Map 1 (Town office)
- ½ acre - Lot 8A Map 1
- ¼ acre - Lot 11 Map 2 (Sand/Salt pile)
- ¼ acre - Lot 5 Map 5
- 4 acre - Cemetery lot

**Section 5: Comprehensive Land Use Planning & Zoning**

Drew Plantation is presently under the Land Use Planning Commission (LUPC) and would remain in the LUPC service area upon deorganization.

**Section 6: Information about the Municipality**

**A. Road and Bridge Information:**

Roads:

Jurisdiction	Street Name	Miles	Condition
State Aid ( <i>green</i> )	CENTER ST (Rt 171)	6.880	Very Good
<b>State Aid Total</b>		<b>6.880</b>	
Townway ( <i>blue</i> )	ANDREWS RD	1.150	Fair
	TOWER RD	0.573	Good
<b>Townway Total</b>		<b>1.723</b>	
TW Summer ( <i>yellow</i> )	TOWER RD	0.487	Good
	POTTER HILL RD	0.120	Good
	CEMETARY RD	0.120	Good
<b>TW Summer Total</b>		<b>0.727</b>	
<b>Total</b>		<b>9.330</b>	

Data Year = 2020

Maine DOT map of Drew Plantation roads is on page 11.

Bridges:

There are two bridges in Drew Plantation that are maintained by Maine DOT:

- Meadow Brook Bridge, #5106, 70 feet long, built in 1980, inspected on 11/17/20, condition good
- Mattawamkeag River Bridge, #5105, 45 ft. long, built in 1928, inspected on 10/01/19, condition fair

**B. Population Information:**

Per U.S. Decennial Census:

Year	Population	% change
1920	286	
1930	110	-62%
2000	57	-48%
2010	46	-19%
2020	26	-43%
Current	estimate 25	-4%

**C. Personal Income and Household Income:**

**Drew Plantation - Number of Occupied Household Units and Household Income Data**

	2020		2015		2010	
<b>Number of Household Units</b>		9		9		16
Income: Less than \$10,000	0%		0%		31.3%	5
\$10,000 to \$14,999	0%		22.2%	2	50.0%	8
\$15,000 to \$24,999	33.3%	3	22.2%	2	0%	
\$25,000 to \$34,999	0%		0%		0%	
\$35,000 to \$49,999	0%		0%		18.8%	3
\$50,000 to \$74,999	44.4%	4	55.6%	5	0%	
\$75,000 to \$99,999	0%		0%		0%	
\$100,000 to \$149,999	22.2%	2	0%		0%	
\$150,000 or more	0%		0%		0%	
<b>Median income</b>	\$65,938		n/a		\$10,938	
<b>Mean income</b>	\$61,144		\$41,556		\$15,900	

Source: US Census - American Community Survey Estimate

**D. Property tax Assessments & Revenues**

As of March 2022, Drew Plantation assessment and tax data (2021 in process):

Year	Land	Buildings	Total Valuation	Tax Revenue	Mill rate per 1000	Homestead Exemption
2020	3,205,140	1,177,394	4,382,534	153,389	35.00	273,993
2019	3,326,331	1,188,337	4,514,668	90,293	20.00	220,000
2018	3,402,801	1,241,939	4,644,740	88,250	19.00	n/a
2017	3,477,069	1,268,759	4,745,828	94,917	20.00	180,000
2016	3,807,488	1,340,551	5,148,039	145,174	28.20	135,000

Parsels in tree Growth:

Year	Parcels	Softwood	Mixed Wood	Hardwood	Total Acres	Total Value
2020	32	1,437	7,019	3,981	12,437	1,795,698
2019	35	1,406	6,568	4,070	12,044	1,735,990
2018	32	1,387	6,528	4,026	11,941	1,779,963
2017	31	1,361	6,588	3,996	11,945	1,805,033
2016	n/a	1,813	9,395	2,862	14,070	2,102,558

Source: State of Maine, Maine Revenue Service, Municipal Valuation Return Statistical Summary

**E. Current Services and the Impact of Deorganization on These Services:**

**a. Cemetery:**

Drew Plantation currently follows the rules and regulations for the cemetery. The Assessors are responsible for reviewing and approving requests and maintenance. Upon deorganization, Drew Township will establish a committee to manage the cemetery and the property will be transferred to Penobscot County.

**b. Education:**

Refer to Section 2 and Section 7

**c. Roads:**

Drew Plantation provides maintenance and snow plowing/sanding services. During the year 2021, a total of approximately \$44,000 was expended on maintaining town roads. The Penobscot County Commissioners will contract for maintenance and repair of roads as well as snow plowing/sanding services.

**d. Solid Waste:**

Drew Plantation currently has a contract with Ireland's Rubbish Services who works with Penobscot Energy Recovery Company (PERC). The Town will terminate this contract prior to deorganization. The Penobscot County Commissioners will contract for these services.

**e. Sludge Disposal:**

Drew Plantation currently does not provide sludge disposal. The Penobscot County Commissioners will review the need for these services. Penobscot County contracts with Gardner Farms in Stacyville.

**f. Fire Protection:**

Drew Plantation currently contracts with Reed Plantation. Upon deorganization, the Penobscot County Commissioners will provide structural fire protection.

**g. Forest Fire:**

The Maine Forest Service will continue to provide Drew Township with forest fire suppression services. The unorganized territory taxpayers reimburse the State for this service.

**h. Ambulance:**

Currently, Drew Plantation is contracted with Lincoln EMS. The Penobscot County Commissioners will review and contract to provide ambulance service.

**i. General Assistance:**

Drew Plantation currently provides general assistance. The Maine Department of Human Services will appoint an agent to provide these services to the citizens of Drew Township.

**j. Voting:**

Drew Plantation currently votes in Reed Plantation. The Penobscot County Commissioners will consult with the Maine Bureau of Elections to determine the voting place for Drew Township.

**k. Excise Tax:**

Currently, Drew Plantation excise tax is collected in Danforth and Reed Plantation. Upon deorganization, the State Tax Assessor will assign a municipality where residents will pay excise tax and will assign an agent to be the excise tax collector. The State Tax Assessor will work with the Penobscot County Commissioners to determine the excise tax location.

**l. Animal Control:**

The Drew Plantation assessors coordinate animal control. An Animal Control officer will be designated by the Penobscot County Commissioners.

**m. Plumbing Inspector:**

Currently, due to low volume, the nearest available plumbing inspector in the area is requested to handle inspections. The State Plumbing Inspector in the Maine Department of Health and Human Services will designate a plumbing inspector.

**n. E-911:**

E-911 naming and numbering of the town roads will be completed by Drew Plantation working with Penobscot County. The Penobscot County Sheriff's Office and the State Police currently answer emergency calls. All paperwork regarding the E-911 system will be turned over to the Penobscot County Unorganized Territory personnel and emergency calls will continue to be answered by the Penobscot County Sheriff's Office and the State Police.

**o. Taxes:**

Prior to the effective date of the Drew Plantation deorganization, the taxpayers of the town will be responsible for the operation of the town from the date of the final vote until the effective date of July 1, 2023. They also will be responsible for the payment of six months county tax for the year. These funds will come from the undesignated surplus and property taxes if necessary. The Town will give deorganization notification to all vendors; ensure payment of all vendors, payment of all taxes (such as employees withholding and related W-2 forms) and reporting of taxes. In addition, continued maintenance of tax records (property record cards, lien process and map updates) should be performed up to the deorganization effective date of July 1, 2023. Upon deorganization, property taxes will be billed by and remitted to the Maine Revenue Service, Property Tax Division.

**p. Audit:**

The assessors of Drew Plantation will be responsible for the completion and payment of the final audit of municipal records prior to the actual deorganization date of July 1, 2023. This is required to verify the ending fund balance for transfer to Maine Revenue Service upon deorganization.

**q. Vital Records:**

These records are currently filed with Reed Plantation. Upon deorganization, all vital records (birth certificates, death certificates, marriage licenses, etc.) will be transferred to and obtained from the Maine Department of Health and Human Services in Augusta. In some instances, records can be accessed through the internet.

**r. Town Records:**

Currently, town records are held by Drew Plantation. All records associated with Drew Plantation are to be turned over to the State Tax Assessor when the town has deorganized. Once the State Tax Assessor no longer has any need for the records, they will be forwarded to the State Archives. MRS will work with Drew Plantation to determine which documents need to be sent to the State archives or other State Agencies, and which documents can be shredded.

**F. Information about the Municipality/Status of Leadership**

Following is a list of the Municipal Officers and Officials as of April 25, 2022:

First Assessor, Greg Rollins  
Second Assessor, Justin Tozier  
Third Assessor, Joe Sears  
Town Treasurer, Ashley Farwell  
Excise Tax Collector, Ashley Farwell  
Property Tax Collector, Shannon Sears  
Town Clerk, Shannon Sears  
School Board, Kim Lee, David Caston, Ashley Farwell  
State Senator, Trey Stewart  
State Representative, Kathy Javner

Upon deorganization on the effective date of July 1, 2023, the current elected and appointed municipal positions and their associated duties would cease to exist and would instead be administered by the State of Maine Unorganized Territory and the Penobscot County Commissioners.

**Section 7: Fiscal Impact Assessment**

**A.** The principal reasons the citizens of Drew Plantation wish to deorganize are:

- (1) the population continues to decrease and age, to a point, where municipal positions needed to manage the municipal services are difficult to fill,

- (2) the concern about the potential for budget increases, the impact to the mill rate, and residents' ability to pay the resulting higher property taxes,
- (3) approximately 38% of Drew Plantations tax base is tax exempt due to the Mattawamkeag River System Wildlife Management Area and
- (4) the positive impact that deorganization has when merging current low volume services with higher volume services.

- B.** For an assessment of local government services, refer to Section 6, E. There are no additional services provided by local government.
- C.** For an inventory of the municipality owned assets, refer to Section 3. There is no outstanding municipality debt.
- D.** The additional Unorganized Territory expenditures for the procurement of services by Penobscot County will increase the county services portion of the mill rate included in the Municipal Cost Component. The addition of Drew Plantation's valuation to the Unorganized Territory of the county will increase the county tax portion of the mill rate. At the time of deorganization there will be no elementary age children attending the Kingman School. The three students currently attending Mt. Jefferson Junior High School and Lee Academy will continue to do so at the respective tuition rates.
- E.** Drew Plantation is surrounded by Unorganized Territory townships within Penobscot County. The consideration to possibly annex with another municipality was not feasible.

**Approval Signatures - Commission on Municipal Deorganization:**

Laura Sanborn  
Laura Sanborn (May 25, 2022 09:45 EDT)

Laura Sanborn, Penobscot County Commissioner

Nancy V. Bodine  
Nancy V. Bodine (May 25, 2022 09:39 EDT)

Nancy V. Bodine, Fiscal Administrator of the Unorganized Territory

Lisa Whynot  
Lisa Whynot (May 25, 2022 11:49 EDT)

Lisa Whynot, Deputy Director, Maine Revenue Service

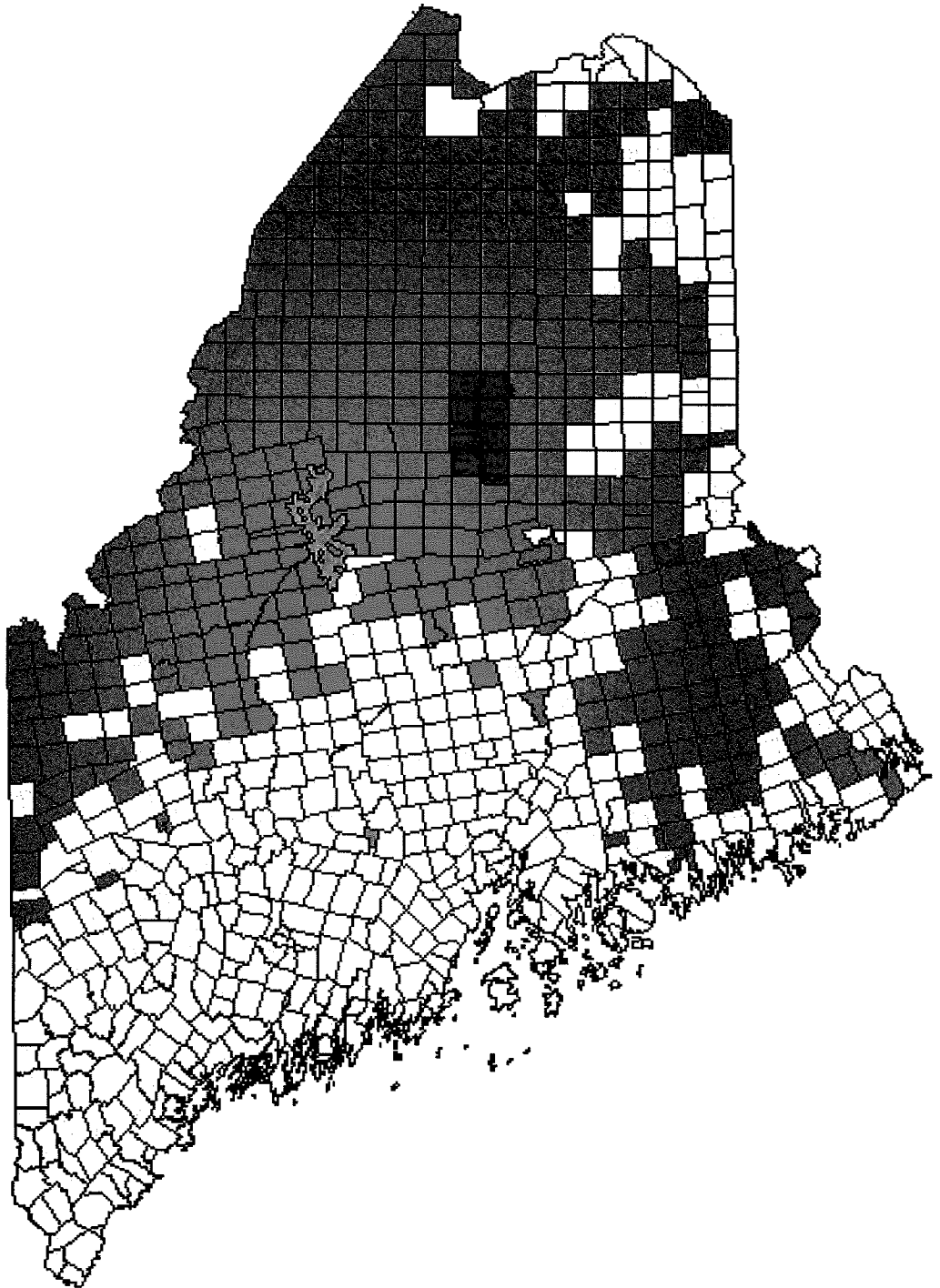
Richard Colpitta

Richard Colpitts, Director of Education in the Unorganized Territory

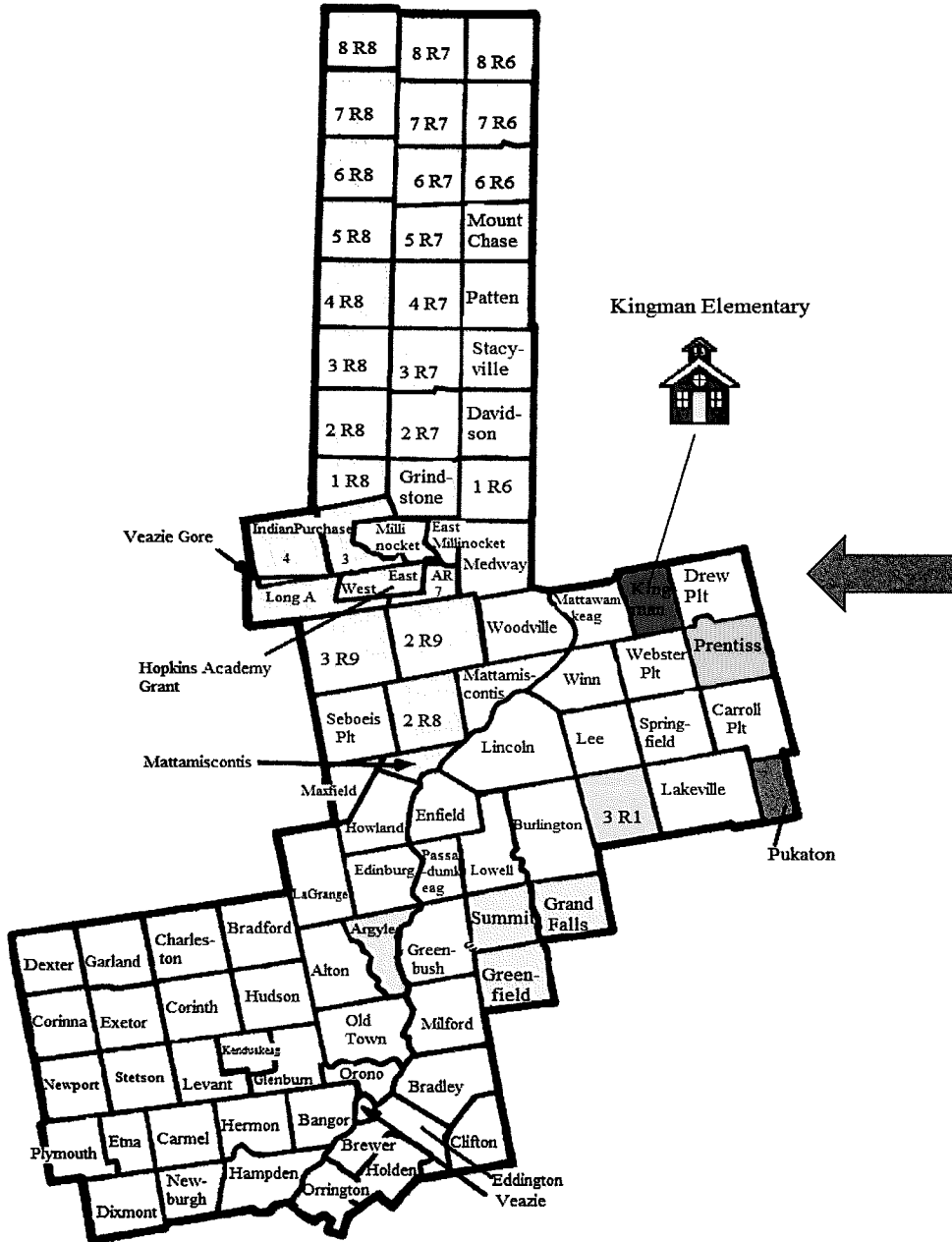
SR Beyer

Stacie Beyer, Acting Director, Land Use Planning Commission

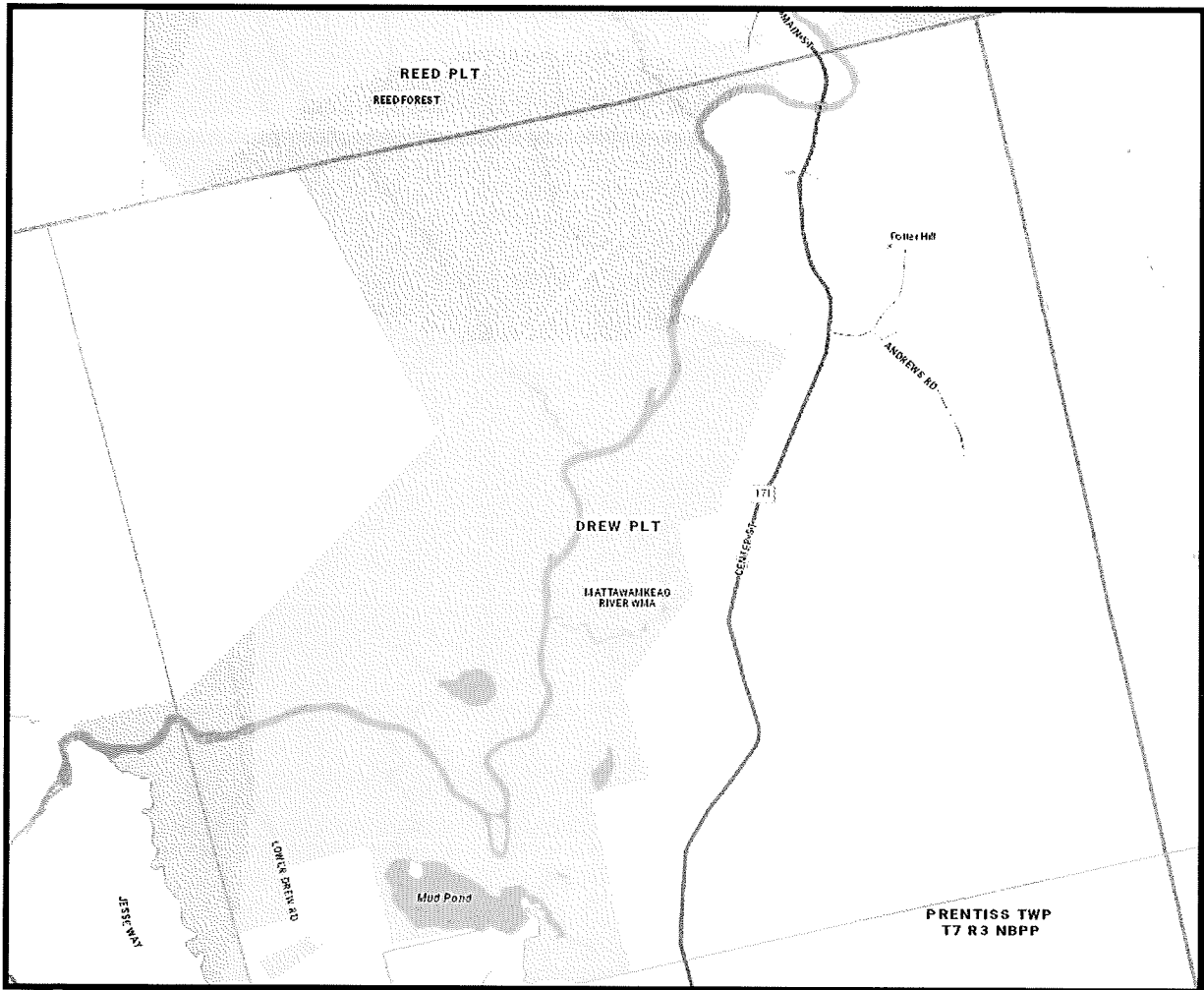
**Drew Plantation – Penobscot County - Maine**  
(approximate Unorganized Territory in green)



# Drew Plantation – Penobscot County – Maine



**Drew Plantation – Penobscot County – Maine**  
 Maine Department of Transportation – Road Data



<b>Jurisdiction</b>	<b>Street Name</b>	<b>Miles</b>
State Aid ( <i>green</i> )	CENTER ST (Rt 171)	6.880
<b>State Aid Total</b>		<b>6.880</b>
Townway ( <i>blue</i> )	ANDREWS RD	1.150
	TOWER RD	0.573
<b>Townway Total</b>		<b>1.723</b>
TW Summer ( <i>yellow</i> )	TOWER RD	0.487
	POTTER HILL RD	0.120
	CEMETARY RD	0.120
<b>TW Summer Total</b>		<b>0.727</b>
<b>Total</b>		<b>9.330</b>

Data Year = 2020