

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 1137

S. P. 379

In Senate, March 5, 1981

Referred to the Committee on Judiciary. Sent down for concurrence and ordered printed.

MAY M. ROSS, Secretary of the Senate

Presented by Senator Devoe of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT to Reduce the Costs to Counties of Supreme Judicial and Superior Courts.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 4 MRSA § 115, first ¶, last sentence, as enacted by PL 1975, c. 735, § 4, is amended to read:

The county commissioners in each county shall continue to provide for the use of the Supreme Judicial and Superior Courts such quarters, facilities, furnishings and equipment in existing county buildings as were in use on January 1, 1976 ~~without charge~~.

Sec. 2. 4 MRSA § 115, first ¶, as amended by PL 1975, c. 735, § 4, is further amended by adding at the end the following new sentences:

Beginning July 1, 1982, the Judicial Department shall pay rent, in an amount determined by this paragraph, to the counties for the quarters, facilities, furnishings and equipment used by the Supreme Judicial and Superior Courts. The rent shall be determined in advance for each biennium by negotiations between the counties and the Chief Justice or his designee, with the advice and approval of the Bureau of Public Improvements. For the year commencing July 1, 1982, the rent in each existing county building shall be 1/3 of the projected operating expense to the county attributable to that portion of the building occupied by the Supreme Judicial and Superior Courts; for the year commencing July 1, 1983, the rent shall be 2/3 of the projected operating expense; and for the year beginning

July 1, 1984, and thereafter, the rent shall be equal to the full amount of the projected operating expense. The rent shall be paid to the counties monthly in advance.

Sec. 3. 4 MRSA § 118, as enacted by PL 1975, c. 383, § 4, is amended by adding at the end a new sentence to read:

Notwithstanding anything contained in this section, the total payments in each year in the biennium beginning July 1, 1982, shall be 2/3 of the amount otherwise fixed in this section, and the total payments in each year in the biennium beginning July 1, 1984, shall be 1/3 of the amount otherwise fixed in this section.

Sec. 4. 4 MRSA § 118, as enacted by PL 1975, c. 383, § 4, is amended by adding at the end a new paragraph to read:

This section is repealed July 1, 1986.

Sec. 5. Effective date. Section 1 of this Act shall take effect July 1, 1982.

STATEMENT OF FACT

This bill is part of a package presented by the Chief Justice to fund construction, maintenance and operation of court facilities. This bill phases in reimbursement of counties for the cost of operating court facilities for Supreme Judicial and Superior Courts. It also phases out the county payment to the State for operation of courts. The transfer of financial responsibility will be completed beginning with the 1986-87 biennium.