

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
113TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 329, L.D. 428,
Bill, " AN ACT to Establish the Maine Court Facili-
ties Authority."

Amend the bill in section 1 in that part design-
ated "§1602." in subsection 1 by striking out all of
the 3rd sentence (page 2, lines 7 to 12 in L.D.) and
inserting in its place the following: 'The authority
shall consist of 5 members, one of whom shall be the
Treasurer of State, serving as an ex officio, voting
member, and 4 other members who shall each serve for
a term of 5 years and shall be appointed by the Gov-
ernor, subject to review by the joint standing com-
mittee of the Legislature having jurisdiction over
state and local government and confirmation by the
Legislature.'

Further amend the bill in section 1 in that part
designated "§1602." in subsection 1 by inserting at
the end a new paragraph to read:

'A. The initial appointed members of the author-
ity shall be appointed in a manner to stagger the
terms of the members. Of the initial 4 appointed
members, one shall be appointed to a term of 2
years; one shall be appointed to a term of 3
years; one shall be appointed to a term of 4
years; and one shall be appointed to a term of 5
years.'

Further amend the bill in section 1 in that part
designated "§1602." in subsection 4 by striking out
all of the first sentence (page 2, lines 32 to 36 in
L.D.) and inserting in its place the following:
'Each member of the authority shall be compensated in
accordance with Title 5, chapter 379.'

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1 Further amend the bill in section 1 in that part
2 designated "§1604." by inserting at the end the fol-
3 lowing:

4 '24. Contract with Maine Municipal Bond Bank.
5 In carrying out its powers under this section, the
6 authority shall, whenever possible, contract with the
7 Maine Municipal Bond Bank for necessary clerical and
8 administrative services, including use of the Execu-
9 tive Director of the Maine Municipal Bond Bank as the
10 executive director of the authority.

11 §1605. Leasing or renting property of the authority

12 For the purposes of this chapter, the authority
13 may lease, rent, assign or otherwise dispose of court
14 facilities only to the judicial branch of State Gov-
15 ernment to be used for court facilities or to a gov-
16 ernmental department or agency and the revenues de-
17 rived by the authority from any lease or rent agree-
18 ment shall be used, as necessary, to pay the princi-
19 pal and interest on any bonds issued pursuant to this
20 chapter.'

21 Further amend the bill in section 1 in that part
22 designated "§1605." in subsection 1 by adding at the
23 end the following: 'No securities may be issued by
24 the authority to fund the replacement of any existing
25 county-owned building designed for use as a court
26 facility without the prior approval of the Legisla-
27 ture.'

28 Further amend the bill in section 1 in that part
29 designated "§1605." by inserting after subsection 1
30 the following:

31 '2. Limitation on securities issued. The au-
32 thority shall not issue securities in excess of
33 \$15,000,000 outstanding at any one time except for
34 the issuance of revenue refunding securities autho-
35 rized by section 1609. The amount of securities

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1 which can be outstanding in the name of the authority
2 may be increased hereafter by the Legislature, upon a
3 showing by the authority that its available revenues
4 are sufficient to support additional issuance of
5 bonds and that the issuance of bonds will not materi-
6 ally impair the credit standing of the authority, the
7 investment status of bonds issued by the authority or
8 the ability of the authority to fulfill its commit-
9 ments to bondholders. Nothing in this chapter may be
10 construed to authorize the authority to issue securi-
11 ties to fund the construction, reconstruction, pur-
12 chase or acquisition of facilities for the use of the
13 Supreme Judicial Court, without approval of the Leg-
14 islature.'

15 Further amend the bill in section 1 in that part
16 designated "§1605." by striking out all of subsection
17 9.

18 Further amend the bill in section 1 in that part
19 designated "§1605." by renumbering the subsections to
20 read consecutively.

21 Further amend the bill in section 1 by renumber-
22 ing the sections to read consecutively.

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STATEMENT OF FACT

2 The amendment makes a number of technical changes
3 to the bill. It adds the Treasurer of State to the
4 authority in order to coordinate the authority's work
5 in providing courthouse facilities with other state
6 bonding activity and it provides for the use of fa-
7 cilities and staff at the Maine Municipal Bond Bank
8 to assist in the authority's operations. The author-
9 ity is also limited, except for relatively short-term
10 revenue refunding securities, to having only \$15 mil-
11 lion of outstanding debt in its own name and at any
12 one time. As under the original bill, revenue bonds
13 issued by the authority would be secured by funds
14 pledged from existing appropriations for the judi-
15 ciary and no new appropriations are required to fund
16 the authority's operations. In addition, the amend-
17 ment makes clear that the authority would not be able
18 to issue debt to construct a new courthouse for use
19 by the State's Supreme Judicial Court, without legis-
20 lative approval.

21 This amendment also requires legislative approval
22 of the decision of the court facilities' authority to
23 replace a county-owned court facility by another fa-
24 cility financed through the issuance of bonds.

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