

MAINE STATE LEGISLATURE

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L.D. 401

(Filing No. H-174)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
114TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 289, L.D. 401, Bill, "An Act to Eliminate the Requirement that Counties Provide Facilities and Equipment to State Courts"

Amend the bill by striking out all of the title and inserting in its place the following:

'An Act Requiring Reimbursement to Counties for Courthouse Facilities'

Further amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'Sec. 1. 4 MRSA §115, first ¶, as amended by PL 1981, c. 647, §1, is further amended to read:

In each county, the place for holding court shall be located in a building designated by the Chief Justice of the Supreme Judicial Court or his a designee, who, with the advice and approval of the Bureau of Public Improvements, is empowered to negotiate, on behalf of the State, the leases, contracts and other arrangements he the Chief Justice or a designee considers necessary, within the limits of appropriations and other funds available to the Supreme Judicial and Superior Courts, to provide suitable quarters, adequately furnished and equipped, for the Supreme Judicial or Superior Court in each county. 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, witheut-charge on terms negotiated under this section.

Sec. 2. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1990-91

JUDICIAL DEPARTMENT

Courts - Supreme, Superior,
District and Administrative

All Other \$1,200,000

Provides funds for leases, contracts or other arrangements to compensate the counties for facilities, furnishings and equipment utilized by the Supreme Judicial Court and Superior Court in each county.

Sec. 3. Effective date. This Act takes effect on July 1, 1990.

FISCAL NOTE

This amendment requires that all counties continue to allow the Judicial Department to utilize existing facilities and equipment, but would require that the department pay them by means of a formal arrangement. The Judicial Department currently occupies approximately 120,000 square feet of space in county facilities and has estimated an average rate of \$10 per square foot. It should be noted that the actual cost per square foot will vary according to the particular comparables in each community and could result in costs greater than that estimated. The actual costs cannot be determined until the final negotiated cost per square foot is known.

STATEMENT OF FACT

This amendment retains the requirement that counties provide the Supreme Judicial Court and the Superior Court with the same quarters, facilities, furnishings and equipment in county buildings as were in use on January 1, 1976, but requires the Chief Justice of the Supreme Judicial Court to negotiate leases, contracts or other arrangements to provide fair compensation to the counties for this service. These leases, contracts or other arrangements will be negotiated in the same manner as provided under current law for additional space used by the Supreme Judicial Court or Superior Court. This bill reduces the real estate property tax burden by shifting the cost of providing these facilities from the county tax to the General Fund, as reflected in the fiscal note.