

# MAINE STATE LEGISLATURE

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# 114th MAINE LEGISLATURE

## SECOND REGULAR SESSION - 1990

Legislative Document

No. 2275

H.P. 1642

House of Representatives, February 2, 1990

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.

Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative BAILEY of Farmington.

Cosponsored by Senator CLARK of Cumberland, Senator PERKINS of Hancock and Representative MILLS of Bethel.

STATE OF MAINE

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY

**An Act to Provide for the 1990 and 1991 Allocations of the State  
Ceiling on Private Activity Bonds.**

(AFTER DEADLINE)

(EMERGENCY)



Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Maine Revised Statutes, Title 10, section 363 and Public Law 1989, chapter 224 make a partial allocation of the state ceiling on private activity bonds to some issuers for calendar year 1990, but leave a portion of the state ceiling unallocated and do not provide sufficient allocations for certain types of private activity bonds that may require an allocation prior to the effective date of this Act if not enacted on an emergency basis; and

Whereas, if these bond issues must be delayed due to lack of available state ceiling, the rates and terms under which these bonds may be issued may be adversely affected, resulting in increased costs to beneficiaries or even unavailability of financing for certain projects; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 10 MRSA §363, sub-§1-A, as amended by PL 1987, c. 668, §1, is further amended to read:

1-A. Procedure. For calendar year 1987 and each subsequent calendar year, the Legislature may establish a procedure for allocation of the entire amount of the state ceiling by allocating an amount of the state ceiling to the specific issuers designated in this section for further allocation by each specific issuer to itself or to other issuers for specific bond issues requiring an allocation of the state ceiling or for carryforward. This procedure shall--supersede supersedes the federal formula to the full extent that the United States Code, Title 26, authorizes the Legislature to vary the federal formula. Allocations may be reviewed by the Legislature periodically and unused allocations may be reallocated to other issuers, provided that, notwithstanding the existence of legislation allocating or reallocating all or any portion of the state ceiling, at any time during the period from September 1st to and including December 31st of any calendar year, and at any other time that the Legislature is not in session, the issuers specifically identified in subsections 4 to 8 may, by unanimous written agreement executed by representatives of each of the issuers, allocate amounts not previously allocated and reallocate unused allocations from one of the specific issuers designated in this section to another specific issuer for further allocation or

carryforward, with respect to the state ceiling for that calendar year only.

**Sec. 2. Allocation to Treasurer of State.** Five million dollars of the state ceiling for calendar year 1990 previously allocated to the Treasurer of State remains allocated to the Treasurer of State. Ten million dollars of the state ceiling for calendar year 1991 is allocated to the Treasurer of State to be used in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 5.

**Sec. 3. Allocation to Finance Authority of Maine.** The \$25,000,000 in state ceiling for calendar year 1990 previously allocated to the Finance Authority of Maine, plus an additional \$83,000,000, is allocated to the Finance Authority of Maine to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 6. Twenty-five million dollars of the state ceiling for calendar year 1991 is allocated to the Finance Authority of Maine to be used or reallocated in accordance with Title 10, section 363, subsection 6.

**Sec. 4. Allocation to Maine Municipal Bond Bank.** The \$10,000,000 of the state ceiling previously allocated to the Maine Municipal Bond Bank for calendar year 1990, plus an additional \$7,000,000 of the state ceiling for calendar year 1990 is allocated to the Maine Municipal Bond Bank to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 7. Ten million dollars of the state ceiling for calendar year 1991 is allocated to the Maine Municipal Bond Bank to be used or reallocated in accordance with Title 10, section 363, subsection 7.

**Sec. 5. Allocation to Maine Educational Loan Authority.** None of the state ceiling for calendar year 1990 previously allocated to the Maine Educational Loan Authority is allocated to the Maine Educational Loan Authority. None of the state ceiling for calendar year 1991 is allocated to the Maine Educational Loan Authority.

**Sec. 6. Allocation to Maine State Housing Authority.** Ten million dollars of the state ceiling for calendar year 1990 previously allocated to the Maine State Housing Authority, plus an additional \$10,000,000, is allocated to the Maine State Housing Authority to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 4. Twenty-five million dollars of the state ceiling for calendar year 1991 is allocated to the Maine State Housing Authority for the same uses.

**Sec. 7. Allocation to Maine Educational Loan Marketing Corporation.** Twenty-five million dollars of the state ceiling

for calendar year 1991 is allocated to the Maine Educational Loan  
2 Marketing Corporation to be used or reallocated in accordance  
with the Maine Revised Statutes, Title 10, section 363,  
4 subsection 8.

6 **Sec. 8. Unallocated state ceiling.** Fifty-five million dollars of  
the state ceiling for calendar year 1991 is unallocated and must  
8 be reserved for future allocation in accordance with applicable  
law.

10 **Emergency clause.** In view of the emergency cited in the  
12 preamble, this Act takes effect when approved.

14  
16 **STATEMENT OF FACT**

18 This bill provides for issuers of state private activity  
bonds to agree among themselves as to allocations when the  
20 Legislature is not in session.

22 This bill also establishes the allocations of state ceiling  
for calendar years 1990 and 1991.

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