

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1316

S.P. 400

In Senate, March 5, 2001

An Act Requiring Reimbursement to Counties for Courthouse Facilities.

(AFTER DEADLINE)

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

A handwritten signature in cursive script, reading 'Joy J. O'Brien'.

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator FERGUSON of Oxford.
Cosponsored by Representative BLISS of South Portland and
Senators: CARPENTER of York, EDMONDS of Cumberland, SMALL of Sagadahoc,
Representatives: HALL of Bristol, LESSARD of Topsham, USHER of Westbrook.

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

Whereas, the Supreme Judicial and Superior Courts need the funds to lease, contract or make other arrangements with counties to maintain the facilities that the courts now occupy; 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. 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 ~~shall~~ must be located in a building designated by the Chief Justice of the Supreme Judicial Court or ~~his~~ the Chief Justice's 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 the Chief Justice's 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 ~~sueh~~ the quarters, facilities, furnishings and equipment in existing county buildings as were in use on January 1, 1976, ~~without-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.

2001-02

JUDICIAL DEPARTMENT

**Courts - Supreme, Superior,
District and Administrative**

All Other \$960,000

Provides funds for leases, contracts or other arrangements to compensate the

2 counties for facilities, furnishings and
equipment utilized by the Supreme Judicial
4 and the Superior Courts in each county.

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

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SUMMARY

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12 This bill retains the requirement that counties provide the
Supreme Judicial and Superior Courts with the same quarters,
14 facilities, furnishings and equipment in county buildings as were
in use on January 1, 1976, but requires the Chief Justice of the
Supreme Court to negotiate leases, contracts or other
16 arrangements to provide fair compensation to the counties for
this service. These leases, contracts or other arrangements will
18 be negotiated in the same manner as provided under current law
for additional space used by the Supreme Judicial and Superior
20 Courts.