

MAINE STATE LEGISLATURE

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L.D. 1528

Date: 3-24-16

(Filing No. S-437)

JUDICIARY

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STATE OF MAINE

SENATE

127TH LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 590, L.D. 1528, Bill, "An Act To Modernize and Consolidate Court Facilities"

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 4 MRSA §1610-I is enacted to read:

§1610-I. Additional securities; Judicial Branch

Notwithstanding any limitation on the amount of securities that may be issued pursuant to section 1606, subsection 2, the authority may issue additional securities from time to time in an aggregate amount not to exceed \$95,600,000 outstanding at any one time for the purposes of paying the costs associated with the planning, purchasing, financing, acquiring, constructing, renovating, furnishing, equipping, improving, extending, enlarging and consolidating new and existing facilities and projects relating to the Judicial Branch in the counties of Oxford, Waldo and York and planning for other court facilities.

Sec. 2. York County Courthouse Site Selection Commission. The York County Courthouse Site Selection Commission, referred to in this section as "the commission," is created to choose a location for the new York County Courthouse. The commission consists of the following members:

1. Two members appointed by the Governor;
2. Two members of the Senate representing York County, one from each of the 2 parties holding the largest number of seats in the Legislature, appointed by the President of the Senate;
3. Two members of the House of Representatives representing York County, one from each of the 2 parties holding the largest number of seats in the Legislature, appointed by the Speaker of the House;
4. One clerk of courts and 2 judges or justices, appointed by the Chief Justice of the Supreme Judicial Court;

5. The York County District Attorney, or the designee of the York County District Attorney;

6. The York County Sheriff, or the designee of the York County Sheriff;

7. One person appointed by the York County Commissioners;

8. One local law enforcement officer appointed by the Chief Justice of the Supreme Judicial Court from a list submitted by the Maine Chiefs of Police Association;

9. Three actively practicing members of the York County Bar, at least one of whom does court-appointed work, from a list submitted by the York County Bar Association; and

10. One victim advocate appointed by the Chief Justice of the Supreme Judicial Court.

The State Court Administrator shall serve as a nonvoting member and provide such assistance as may be required by the commission. The Chief Justice of the Supreme Judicial Court shall name a member of the Supreme Judicial Court to serve as chair of the commission. The commission shall meet at the call of the chair and make a recommendation to the Chief Justice of the Supreme Judicial Court by January 1, 2017. The Judicial Branch is authorized to construct a courthouse in the municipality designated by the commission.'

SUMMARY

This amendment strikes the bill, which is a concept draft, and authorizes the Maine Governmental Facilities Authority to issue additional securities from time to time in an aggregate amount not to exceed \$95,600,000. The funds must be used for the acquisition, construction, equipping, capital repairs and improvements to new and existing facilities and judicial projects in the counties of Oxford, Waldo and York and planning for other court facilities, in order to increase court efficiency, reduce operating expenses and improve public service and safety.

This amendment also establishes the York County Courthouse Site Selection Commission to choose a site for the new York County Courthouse. The Judicial Branch is authorized to build the courthouse in the municipality selected by the commission.

FISCAL NOTE REQUIRED
(See attached)

Approved: 03/18/16 *mac***127th MAINE LEGISLATURE****LD 1528****LR 2316(02)****An Act To Modernize and Consolidate Court Facilities****Fiscal Note for Bill as Amended by Committee Amendment "A" (S-437)****Committee: Judiciary****Fiscal Note Required: Yes**

Fiscal Note**Legislative Cost/Study**

	FY 2015-16	FY 2016-17	Projections FY 2017-18	Projections FY 2018-19	
Net Cost (Savings)					
General Fund	\$0	\$0	\$2,017,470	\$5,481,883	
Appropriations/Allocations					
General Fund	\$0	\$0	\$2,017,470	\$5,481,883	
Bond Issues	Term (years)	Principal	Rate (%)	Interest	Total Cost
Maine Gov Fac Auth	20	\$95,600,000	4.0%	\$40,152,000	\$135,752,000

Legislative Cost/Study

The general operating expenses of participating in this commission are projected to be \$2,000 in fiscal year 2016-17. The Legislature's budget includes \$10,000 in fiscal year 2016-17 for legislative studies. Whether this amount is sufficient to fund all studies will depend on the number of studies authorized by the Legislative Council and the Legislature.

Fiscal Detail and Notes

This bill authorizes the Maine Governmental Facilities Authority to issue securities by \$95,600,000 to fund new courthouses in Waldo and York Counties and the renovation of and addition to a courthouse in Oxford County. The All-In True Interest Cost (All-In TIC) for the first bond issuance in July 2016 is assumed to be the current market rate plus .5%, or 3.36%. The second issuance in July 2017 is assumed to be the current market rate plus 1%, or 3.87%. The last bond issuance in July 2018 is assumed to be the current market rate plus 2%, or 4.89%. The assumed average All-In TIC for all three issuances is 4.18%. The estimated debt service cost to the judicial branch for the first two years is \$2,017,470 in fiscal year 2017-18 and \$5,481,883 fiscal year 2018-19.