

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 357

S.P. 97

In Senate, January 24, 2019

An Act Regarding Court Facilities in York County

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator WOODSOME of York.
Cosponsored by Representative MASTRACCIO of Sanford and
Senators: DESCHAMBAULT of York, FOLEY of York, Representatives: HARRINGTON of
Sanford, O'NEIL of Saco.

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

2 **Sec. 1. 4 MRSA §1610-L** is enacted to read:

3 **§1610-L. Additional securities; judicial branch and York County**

4 Notwithstanding any limitation on the amount of securities that may be issued
5 pursuant to section 1606, subsection 2, the authority may issue additional securities from
6 time to time in an aggregate amount not to exceed \$6,000,000 outstanding at any one
7 time for the purposes of paying the costs associated with the planning, purchasing,
8 financing, acquiring, constructing, furnishing and equipping new facilities and projects
9 relating to the judicial branch in York County for the exclusive use of York County to
10 accommodate the office of the district attorney.

11 **Sec. 2. Construction to accommodate office of York County district**
12 **attorney.** The judicial branch shall hold in reserve a portion of the property on which
13 the new courthouse in Biddeford is to be built to be used for the construction of a
14 building and adequate parking to accommodate the office of the York County district
15 attorney. The judicial branch and York County shall work together to acquire the
16 services of an architect and construction manager for the project, the costs of which must
17 be included as a cost of the Biddeford courthouse design and construction project.

18 **Sec. 3. Construction of York County facilities.** The judicial branch, working
19 with York County, shall construct the building that is to accommodate the office of the
20 York County district attorney in Biddeford pursuant to section 1 using the funding
21 provided by the Maine Revised Statutes, Title 4, section 1610-L, and York County shall
22 pay the debt service in lieu of paying rent. The building systems, including but not
23 limited to, heating, ventilation, electrical, water and sewerage systems, must be separate
24 from those of the courthouse, and York County is responsible for costs associated with
25 the operation and maintenance of the building that accommodates the office of the York
26 County district attorney.

27 **Sec. 4. Lease; purchase.** The judicial branch shall lease the land on which the
28 building that accommodates the office of the York County district attorney is built
29 pursuant to section 1 to York County for \$1 until the debt service on the bonds issued
30 under the Maine Revised Statutes, Title 4, section 1610-L is fully paid, at which time the
31 judicial branch shall transfer the land and building to York County for consideration of
32 \$1.

33 **Sec. 5. Ownership of courthouses.** The State shall transfer, without
34 consideration, the ownership of the 3 district courthouses in York County to be vacated
35 when the courts are consolidated into one building in Biddeford to York County for
36 exclusive use by York County.

37 **SUMMARY**

38 This bill resolves logistical issues created by the construction of a consolidated
39 courthouse for York County in Biddeford. Earlier legislation that authorized construction

1 of the courthouse did not factor in adequate space for the office of the district attorney, a
2 required component of the judicial process. This bill provides for the construction of a
3 building of sufficient size to accommodate the office of the district attorney to be
4 connected to the new courthouse. This bill authorizes the issuance of up to \$6,000,000 in
5 Maine Government Facilities Authority securities to construct the building, but the
6 planning and design, a joint project by the judicial branch and York County, will be
7 covered by the existing funding of the courthouse.

8 The goal of this bill is to make the new building as cost-neutral to the parties as
9 possible. York County will pay the debt service on the bonds and pay annual rent for the
10 land of \$1 until the debt service is fully paid, at which time the State will transfer the land
11 and building to York County for \$1. In addition, the 3 district court buildings vacated
12 when the new consolidated courthouse opens must be transferred at no cost to York
13 County for its exclusive use.