

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

SECOND REGULAR SESSION-2024

Legislative Document

No. 2160

S.P. 916

In Senate, January 9, 2024

**An Act to Provide for the 2024 and 2025 Allocations of the State
Ceiling on Private Activity Bonds**

(EMERGENCY)

Submitted by the Finance Authority of Maine pursuant to Joint Rule 203.
Reference to the Committee on Innovation, Development, Economic Advancement and
Business 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 CURRY of Waldo.

1 **Emergency preamble.** Whereas, acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** the Maine Revised Statutes, Title 10, section 363 and Private and Special
4 Law 2023, chapter 5 make a partial allocation of the state ceiling on private activity bonds
5 to some issuers for calendar year 2024 but leave a portion of the state ceiling unallocated
6 and do not provide sufficient allocations for certain types of private activity bonds that may
7 require an allocation prior to the effective date of this Act if it is not enacted on an
8 emergency basis; and

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

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

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

18 **Sec. 1. Allocation to the Treasurer of State.** The \$5,000,000 of the state ceiling
19 on private activity bonds for calendar year 2024 previously allocated to the Treasurer of
20 State remains allocated to the Treasurer of State to be used or reallocated in accordance
21 with the Maine Revised Statutes, Title 10, section 363, subsection 5 for calendar year 2024.
22 Five million dollars of the state ceiling for calendar year 2025 is allocated to the Treasurer
23 of State to be used or reallocated in accordance with Title 10, section 363, subsection 5.

24 **Sec. 2. Allocation to the Finance Authority of Maine, including as successor**
25 **to the Maine Educational Loan Authority.** The \$100,000,000 of the state ceiling on
26 private activity bonds for calendar year 2024 previously allocated to the Finance Authority
27 of Maine remains allocated to the Finance Authority of Maine to be used or reallocated in
28 accordance with the Maine Revised Statutes, Title 10, section 363, subsection 6 for
29 calendar year 2024. The \$20,000,000 of the state ceiling on private activity bonds for
30 calendar year 2024 previously allocated to the Finance Authority of Maine as successor to
31 the Maine Educational Loan Authority remains allocated to the Finance Authority of Maine
32 to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section
33 363, subsection 8 for calendar year 2024. An additional \$105,000,000 of the state ceiling
34 on private activity bonds for calendar year 2024, previously unallocated, is allocated to the
35 Finance Authority of Maine to be used or reallocated in accordance with Title 10, section
36 363, subsections 6 and 8. One hundred ninety-five million dollars of the state ceiling for
37 calendar year 2025 is allocated to the Finance Authority of Maine to be used or reallocated
38 in accordance with Title 10, section 363, subsections 6 and 8.

39 **Sec. 3. Allocation to the Maine Municipal Bond Bank.** The \$10,000,000 of
40 the state ceiling on private activity bonds for calendar year 2024 previously allocated to the
41 Maine Municipal Bond Bank remains allocated to the Maine Municipal Bond Bank to be
42 used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363,
43 subsection 7 for calendar year 2024. Ten million dollars of the state ceiling for calendar

1 year 2025 is allocated to the Maine Municipal Bond Bank to be used or reallocated in
2 accordance with Title 10, section 363, subsection 7.

3 **Sec. 4. Allocation to the Maine State Housing Authority.** The \$50,000,000 of
4 the state ceiling on private activity bonds for calendar year 2024 previously allocated to the
5 Maine State Housing Authority remains allocated to the Maine State Housing Authority to
6 be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363,
7 subsection 4 for calendar year 2024. An additional \$50,000,000 of the state ceiling on
8 private activity bonds for calendar year 2024, previously unallocated, is allocated to the
9 Maine State Housing Authority to be used or reallocated in accordance with Title 10,
10 section 363, subsection 4. One hundred million dollars of the state ceiling for calendar year
11 2025 is allocated to the Maine State Housing Authority to be used or reallocated in
12 accordance with Title 10, section 363, subsection 4.

13 **Sec. 5. Unallocated state ceiling.** Thirty-eight million two hundred thirty thousand
14 dollars of the state ceiling on private activity bonds for calendar year 2024 is unallocated
15 and must be reserved for future allocation in accordance with applicable laws. Sixty-eight
16 million two hundred thirty thousand dollars of the state ceiling for calendar year 2025 is
17 unallocated and must be reserved for future allocation in accordance with applicable laws.

18 **Emergency clause.** In view of the emergency cited in the preamble, this legislation
19 takes effect when approved.

20 SUMMARY

21 This bill establishes the allocations of the state ceiling on issuance of tax-exempt
22 private activity bonds for calendar years 2024 and 2025 among the state-level issuers of
23 tax-exempt bonds.