

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-THREE

—
S.P. 88 - L.D. 184

An Act to Provide for the 2023 and 2024 Allocations of the State Ceiling on Private Activity Bonds

Emergency preamble. Whereas, acts and resolves 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 Private and Special Law 2021, chapter 14 make a partial allocation of the state ceiling on private activity bonds to some issuers for calendar year 2023 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 it is not enacted on an emergency basis; and

Whereas, if these bond issues must be delayed due to the 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. Allocation to the Treasurer of State. The \$5,000,000 of the state ceiling on private activity bonds for calendar year 2023 previously allocated to the Treasurer of State remains allocated to the Treasurer of State to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 5 for calendar year 2023. Five million dollars of the state ceiling for calendar year 2024 is allocated to the Treasurer of State to be used or reallocated in accordance with Title 10, section 363, subsection 5.

Sec. 2. Allocation to the Finance Authority of Maine. The \$100,000,000 of the state ceiling on private activity bonds for calendar year 2023 previously allocated to the Finance Authority of Maine remains 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 for calendar year 2023. An additional \$50,000,000 of the state ceiling on private activity bonds for calendar year 2023, previously unallocated, is allocated to the Finance Authority of Maine to be used or reallocated in accordance with Title 10, section 363, subsection 6. One hundred million dollars of the state ceiling for calendar year 2024 is allocated to the Finance Authority of Maine to be used or reallocated in accordance with Title 10, section 363, subsection 6.

Sec. 3. Allocation to the Maine Municipal Bond Bank. The \$10,000,000 of the state ceiling on private activity bonds for calendar year 2023 previously allocated to the Maine Municipal Bond Bank remains 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 for calendar year 2023. Ten million dollars of the state ceiling for calendar year 2024 is allocated to the Maine Municipal Bond Bank to be used or reallocated in accordance with Title 10, section 363, subsection 7.

Sec. 4. Allocation to the Finance Authority of Maine as successor to the Maine Educational Loan Authority. The \$15,000,000 of the state ceiling on private activity bonds for calendar year 2023 previously allocated to the Finance Authority of Maine as successor to the Maine Educational Loan Authority remains allocated to the Finance Authority of Maine to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 8 for calendar year 2023. An additional \$15,000,000 of the state ceiling on private activity bonds for calendar year 2023, previously unallocated, is allocated to the Finance Authority of Maine to be used or reallocated in accordance with Title 10, section 363, subsection 8. Twenty million dollars of the state ceiling for calendar year 2024 is allocated to the Finance Authority of Maine to be used or reallocated in accordance with Title 10, section 363, subsection 8.

Sec. 5. Allocation to the Maine State Housing Authority. The \$50,000,000 of the state ceiling on private activity bonds for calendar year 2023 previously allocated to the Maine State Housing Authority remains 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 for calendar year 2023. Fifty million dollars of the state ceiling for calendar year 2024 is allocated to the Maine State Housing Authority to be used or reallocated in accordance with Title 10, section 363, subsection 4.

Sec. 6. Unallocated state ceiling. Ninety million one hundred fifteen thousand dollars of the state ceiling on private activity bonds for calendar year 2023 is unallocated and must be reserved for future allocation in accordance with applicable laws. One hundred fifty million one hundred fifteen thousand dollars of the state ceiling for calendar year 2024 is unallocated and must be reserved for future allocation in accordance with applicable laws.

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