



130th MAINE LEGISLATURE

SECOND REGULAR SESSION-2022

Legislative Document

No. 1811

S.P. 638

In Senate, December 17, 2021

**An Act To Provide for the 2022 and 2023 Allocations of the State
Ceiling on Private Activity Bonds**

(EMERGENCY)

Submitted by the Finance Authority of Maine pursuant to Joint Rule 203.

Received by the Secretary of the Senate on December 15, 2021. Referred to the Committee on Innovation, Development, Economic Advancement and Business pursuant to Joint Rule 308.2 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 2021, chapter 1 make a partial allocation of the state ceiling on private activity bonds
5 to some issuers for calendar year 2022 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 2022 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 2022.
22 Five million dollars of the state ceiling for calendar year 2023 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.** The \$40,000,000 of the
25 state ceiling on private activity bonds for calendar year 2022 previously allocated to the
26 Finance Authority of Maine remains allocated to the Finance Authority of Maine to be used
27 or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363,
28 subsection 6 for calendar year 2022. An additional \$60,000,000 of the state ceiling on
29 private activity bonds for calendar year 2022, previously unallocated, is allocated to the
30 Finance Authority of Maine to be used or reallocated in accordance with Title 10, section
31 363, subsection 6. One hundred million dollars of the state ceiling for calendar year 2023
32 is allocated to the Finance Authority of Maine to be used or reallocated in accordance with
33 Title 10, section 363, subsection 6.

34 **Sec. 3. Allocation to the Maine Municipal Bond Bank.** The \$10,000,000 of
35 the state ceiling on private activity bonds for calendar year 2022 previously allocated to the
36 Maine Municipal Bond Bank remains allocated to the Maine Municipal Bond Bank to be
37 used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363,
38 subsection 7 for calendar year 2022. Ten million dollars of the state ceiling for calendar
39 year 2023 is allocated to the Maine Municipal Bond Bank to be used or reallocated in
40 accordance with Title 10, section 363, subsection 7.

41 **Sec. 4. Allocation to the Finance Authority of Maine as successor to the**
42 **Maine Educational Loan Authority.** The \$15,000,000 of the state ceiling on private
43 activity bonds for calendar year 2022 previously allocated to the Finance Authority of

1 Maine as successor to the Maine Educational Loan Authority remains allocated to the
2 Finance Authority of Maine to be used or reallocated in accordance with the Maine Revised
3 Statutes, Title 10, section 363, subsection 8 for calendar year 2022. Fifteen million dollars
4 of the state ceiling for calendar year 2023 is allocated to the Finance Authority of Maine to
5 be used or reallocated in accordance with Title 10, section 363, subsection 8.

6 **Sec. 5. Allocation to the Maine State Housing Authority.** The \$50,000,000 of
7 the state ceiling on private activity bonds for calendar year 2022 previously allocated to the
8 Maine State Housing Authority remains allocated to the Maine State Housing Authority to
9 be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363,
10 subsection 4 for calendar year 2022. Fifty million dollars of the state ceiling for calendar
11 year 2023 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. 6. Unallocated state ceiling.** One hundred fifty-five million one hundred
14 fifteen thousand dollars of the state ceiling on private activity bonds for calendar year 2022
15 is unallocated and must be reserved for future allocation in accordance with applicable
16 laws. One hundred fifty-five million one hundred fifteen thousand dollars of the state
17 ceiling for calendar year 2023 is unallocated and must be reserved for future allocation in
18 accordance with applicable laws.

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

21 **SUMMARY**

22 This bill establishes the allocations of the state ceiling on issuance of tax-exempt
23 private activity bonds for calendar years 2022 and 2023 among the state-level issuers of
24 tax-exempt bonds.