



# 128th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2018

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Legislative Document

No. 1787

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S.P. 666

In Senate, January 16, 2018

**An Act To Provide for the 2018 and 2019 Allocations of the State  
Ceiling on Private Activity Bonds**

(EMERGENCY)

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Submitted by the Finance Authority of Maine pursuant to Joint Rule 203.  
Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

A handwritten signature in cursive script, reading 'Heather J.R. Priest'.

HEATHER J.R. PRIEST  
Secretary of the Senate

Presented by Senator VOLK of Cumberland.  
Cosponsored by Representative FECTEAU of Biddeford and  
Senators: LANGLEY of Hancock, President THIBODEAU of Waldo, Representative:  
AUSTIN of Gray.

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 2017, chapter 5 make a partial allocation of the state ceiling on private activity  
5 bonds to some issuers for calendar year 2018 but leave a portion of the state ceiling  
6 unallocated and do not provide sufficient allocations for certain types of private activity  
7 bonds that may require an allocation prior to the effective date of this Act if not enacted  
8 on an 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  
12 for 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  
19 ceiling on private activity bonds for calendar year 2018 previously allocated to the  
20 Treasurer of State remains allocated to the Treasurer of State to be used or reallocated in  
21 accordance with the Maine Revised Statutes, Title 10, section 363, subsection 5 for  
22 calendar year 2018. Five million dollars of the state ceiling for calendar year 2019 is  
23 allocated to the Treasurer of State to be used or reallocated in accordance with Title 10,  
24 section 363, subsection 5.

25           **Sec. 2. Allocation to the Finance Authority of Maine.** The \$40,000,000 of  
26 the state ceiling on private activity bonds for calendar year 2018 previously allocated to  
27 the Finance Authority of Maine remains allocated to the Finance Authority of Maine to  
28 be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section  
29 363, subsection 6 for calendar year 2018. Forty million dollars of the state ceiling for  
30 calendar year 2019 is allocated to the Finance Authority of Maine to be used or  
31 reallocated in accordance with Title 10, section 363, subsection 6.

32           **Sec. 3. Allocation to the Maine Municipal Bond Bank.** The \$10,000,000 of  
33 the state ceiling on private activity bonds for calendar year 2018 previously allocated to  
34 the Maine Municipal Bond Bank remains allocated to the Maine Municipal Bond Bank to  
35 be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section  
36 363, subsection 7 for calendar year 2018. Ten million dollars of the state ceiling for  
37 calendar year 2019 is allocated to the Maine Municipal Bond Bank to be used or  
38 reallocated in accordance with Title 10, section 363, subsection 7.

39           **Sec. 4. Allocation to the Finance Authority of Maine as successor to the**  
40 **Maine Educational Loan Authority.** The \$15,000,000 of the state ceiling on private

1 activity bonds for calendar year 2018 previously allocated to the Finance Authority of  
2 Maine as successor to the Maine Educational Loan Authority remains allocated to the  
3 Finance Authority of Maine to be used or reallocated in accordance with Public Law  
4 2015, chapter 170 and with the Maine Revised Statutes, Title 10, section 363, subsection  
5 8 for calendar year 2018. Fifteen million dollars of the state ceiling for calendar year  
6 2019 is allocated to the Finance Authority of Maine to be used or reallocated in  
7 accordance with Title 10, section 363, subsection 8.

8 **Sec. 5. Allocation to the Maine State Housing Authority.** The \$50,000,000  
9 of the state ceiling on private activity bonds for calendar year 2018 previously allocated  
10 to the Maine State Housing Authority remains allocated to the Maine State Housing  
11 Authority to be used or reallocated in accordance with the Maine Revised Statutes, Title  
12 10, section 363, subsection 4 for calendar year 2018. Fifty million dollars of the state  
13 ceiling for calendar year 2019 is allocated to the Maine State Housing Authority to be  
14 used or reallocated in accordance with Title 10, section 363, subsection 4.

15 **Sec. 6. Unallocated state ceiling.** One hundred ninety-one million three hundred  
16 seventy-five thousand dollars of the state ceiling on private activity bonds for calendar  
17 year 2018 is unallocated and must be reserved for future allocation in accordance with  
18 applicable laws. One hundred ninety-one million three hundred seventy-five thousand  
19 dollars of the state ceiling for calendar year 2019 is unallocated and must be reserved for  
20 future allocation in accordance with applicable laws.

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

## 23 SUMMARY

24 This bill establishes the allocations of the state ceiling on issuance of tax-exempt  
25 private activity bonds for calendar years 2018 and 2019 among the state-level issuers of  
26 tax-exempt bonds.