



State of Maine Judicial Branch
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Judicial Branch Testimony Against LD 924: Resolve, Directing the Judicial Branch to Authorize the Lease of a Courthouse That Meets Accessibility and Functional Needs in the Town of Newport

Senator Carney, Representative Kuhn, members of the Joint Standing Committee on Judiciary, my name is Barbara Cardone, and I am the Director of Legal Affairs and Public Relations for the Maine Judicial Branch. I would like to provide the following testimony against this resolve.

In late January of this year, the Judicial Branch discovered that the courthouse building at 12 Water Street in Newport contained mold that may be a health hazard. We immediately vacated the building, moving the clerk's office and all the files to temporary facilities at the Penobscot Judicial Center in Bangor. All Newport court proceedings are now either remote or in person in Bangor.

The Judicial Branch has put together this arrangement as temporary. We recognize that Newport needs its local courthouse to reopen, either at 12 Water Street or at another suitable location, as soon as possible. This brings us to our objection to the current resolve.

The main problem with the resolve is that it is not helpful in getting the Newport court back in operation. The resolve instructs the Judicial Branch to take action "within its existing resources." Our existing resources are insufficient to cover the necessary costs for a courthouse in Newport, regardless of the location. The Judicial Branch needs additional financial resources to do this project and will need to seek additional funding.

One possible way for the Judicial Branch to secure the necessary financing is to allow us to draw funds from the current courthouse bond authorized for the Ellsworth, Skowhegan and Lewiston courthouses if sufficient funding is available for this additional project. Our finance department would need to monitor the spending from the bond to see if there is sufficient funding.

Attached is proposed statutory language that modifies the bond bill to allow for the expenditure of funds from the bond to address some of the expenses associated with reestablishing a courthouse in Ellsworth. Because the current measure is a resolve, we cannot simply modify the wording to add statutory language; we will need to put the new wording in a separate bill. We ask that this Committee vote ONTP on this resolve, and that either the Committee or some individual legislators take the action necessary to allow this statutory change so that we have the funds necessary to bring a courthouse back to Ellsworth.

Sec. 1. 4 MRSA §1610-Q is enacted to read:

§1610-Q. Additional securities; judicial branch facilities in Androscoggin, Hancock, ~~and Somerset~~ and Penobscot counties

Notwithstanding any limitation on the amount of securities that may be issued pursuant to section 1606, subsection 2, the authority may issue additional securities from time to time in an aggregate amount not to exceed \$205,000,000 outstanding at any one time for the purposes of paying the costs associated with the planning, purchasing, financing, acquiring, constructing, renovating, furnishing, equipping, improving, extending, enlarging and consolidating new and existing facilities and projects relating to the judicial branch in the counties of Androscoggin, Hancock, ~~and Somerset~~ and western Penobscot and planning for other court facilities.