



125th MAINE LEGISLATURE

SECOND REGULAR SESSION-2012

Legislative Document

No. 1904

S.P. 678

In Senate, March 28, 2012

**An Act To Create the Leased Space Reserve Fund and To Amend
the Law Regarding the Issuance of Securities under the Maine
Governmental Facilities Authority**

Reference to the Committee on State and Local Government suggested and ordered printed.

Joseph G. Carleton Jr.

JOSEPH G. CARLETON, JR.
Secretary of the Senate

Presented by Senator KATZ of Kennebec. (GOVERNOR'S BILL)

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

2 **Sec. 1. 5 MRSA §1516-B** is enacted to read:

3 **§1516-B. Leased Space Reserve Fund**

4 **1. Leased Space Reserve Fund.** There is created the Leased Space Reserve Fund,
5 referred to in this section as "the fund," which may be used for costs related to relocation
6 from leased space to state-owned facilities or relocation from a leased space to a
7 lower-priced leased space and capital projects that construct, renovate or improve state
8 facilities. Money in the fund may not be expended on facility maintenance issues.

9 **2. Nonlapsing fund.** Any unexpended money appropriated or allocated to the fund
10 may not lapse, but must be carried forward.

11 **3. Funding of fund.** The Department of Administrative and Financial Services,
12 Bureau of General Services shall notify the State Controller and the State Budget Officer
13 of a relocation of a state agency from leased space to a state-owned facility or a relocation
14 of a state agency from leased space to a lower-priced leased space. Any balance, net of
15 the value of the state cost allocation program as determined by the State Controller,
16 remaining in General Fund or Other Special Revenue Funds money appropriated or
17 allocated for leased space and all facility-related expenses for that agency during the
18 biennium of the relocation as a result of savings resulting from the relocation must be
19 transferred as provided in this subsection.

20 **A.** The State Budget Officer shall transfer 50% of any General Fund or Other Special
21 Revenue Funds money through financial order to the fund. This transfer is considered
22 to be an adjustment to the appropriation or allocation.

23 **B.** The remaining balance must be transferred to the General Fund as unappropriated
24 surplus.

25 **Sec. 2. PL 2007, c. 240, Pt. Q, §1,** as amended by PL 2009, c. 213, Pt. XXXX,
26 §1, is further amended to read:

27 **Sec. Q-1. Maine Governmental Facilities Authority; issuance of**
28 **securities.** Pursuant to the Maine Revised Statutes, Title 4, section 1606, the Maine
29 Governmental Facilities Authority is authorized to issue securities in its own name in an
30 amount up to \$11,000,000 in fiscal year 2007-08 and \$6,000,000 in fiscal year 2008-09 or
31 2009-10 for the purpose of paying the cost, including preliminary planning costs,
32 including but not limited to needs assessments and space planning, master planning,
33 capital asset assessments, concept design, design development and final design including
34 construction drawings, associated with capital repairs and improvements to state-owned
35 facilities throughout the State and for the purchase or acquisition of facilities throughout
36 the State as designated by the Commissioner of Administrative and Financial Services.
37 The authority may also issue additional securities in its own name in an amount up to
38 \$750,000 in fiscal year 2007-08 for preconstruction costs and capital improvements for a
39 Department of Corrections project at the Bangor campus and for other capital
40 improvements at the correctional facilities within the Department of Corrections any part

1 or all of which may be advanced by the Department of Administrative and Financial
2 Services, Bureau of General Services with reimbursement upon issuance of the additional
3 securities.

4 **Sec. 3. Resolve 2011, c. 70, Pt. A, §2, sub-§2** is amended to read:

5 2. A parcel of land in Sinclair occupied by the Patrick Theriault School ~~consisting of~~
6 ~~approximately 73 acres~~ conveyed to the ~~Town of Sinclair School District and State by~~
7 ~~deed~~ recorded in the Northern Aroostook County Registry of Deeds, Book ~~939~~ 246, Page
8 ~~228~~ 386; and be it further

9 **Sec. 4. Authority to purchase real property; funding; repeal.**
10 Notwithstanding any other provision of law, the State, by and through the Commissioner
11 of Administrative and Financial Services, may negotiate and effect the purchase of
12 certain real property located at 127 Sewall Street, 108 Sewall Street and 96 Sewall Street
13 in the City of Augusta from the Maine Public Employees Retirement System on terms
14 and conditions that are in the best interest of the State. Notwithstanding any other
15 provision of law, the Commissioner of Administrative and Financial Services may use
16 any available resources for the purchase of the property. Any purchase made pursuant to
17 this section must take place no later than June 30, 2013.

18 **Sec. 5. Appropriations and allocations.** The following appropriations and
19 allocations are made.

20 **ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

21 **Leased Space Reserve Fund Program**

22 Initiative: Provides funding to establish a baseline allocation for costs related to
23 relocation and capital projects that construct, renovate or improve state facilities.

24			
25	OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
26	All Other	\$0	\$500
27			
28	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$500</u>

29 **Sec. 6. Retroactivity.** That section of this Act that amends Resolve 2011, chapter
30 70, Part A, section 2, subsection 2 applies retroactively to September 28, 2011.

31 **SUMMARY**

32 This bill creates the Leased Space Reserve Fund, a nonlapsing fund to be used for
33 costs related to relocation from leased spaces to state-owned facilities or relocation to
34 lower-priced leased spaces and capital projects that construct, renovate or improve state
35 facilities.

36 This bill allows the use of securities issued by the Maine Governmental Facilities
37 Authority to be used to purchase or acquire facilities.

1 This bill corrects an inaccurate deed reference authorizing the sale of the Patrick
2 Theriault School property in Aroostook County and applies the correction retroactively to
3 September 28, 2011, the effective date of the resolve authorizing the sale.

4 This bill authorizes the State, through the Commissioner of Administrative and
5 Financial Services, to purchase 3 pieces of property located in Augusta that are owned by
6 the Maine Public Employees Retirement System using available resources. The purchase
7 must be made by June 30, 2013.

8 This bill authorizes the baseline allocation for the Leased Space Reserve Fund
9 program.