1	L.D. 144
2	Date: (Filing No. H-)
3	EDUCATION AND CULTURAL AFFAIRS
4	Reproduced and distributed under the direction of the Clerk of the House.
5	STATE OF MAINE
6	HOUSE OF REPRESENTATIVES
7	130TH LEGISLATURE
8	FIRST SPECIAL SESSION
9 10 11	COMMITTEE AMENDMENT " to H.P. 100, L.D. 144, "An Act To Fund Capital Improvements to Career and Technical Education Centers and Regions To Bolster Maine's Future Workforce"
12 13	Amend the bill by striking out everything after the enacting clause and inserting the following:
14	'Sec. 1. 4 MRSA §1603, sub-§3-A is enacted to read:
15 16	3-A. Career and technical education center. "Career and technical education center" has the same meaning as "center" in Title 20-A, section 8301-A, subsection 3.
17	Sec. 2. 4 MRSA §1603, sub-§3-B is enacted to read:
18 19	3-B. Career and technical education region. "Career and technical education region" has the same meaning as "region" in Title 20-A, section 8301-A, subsection 6.
20	Sec. 3. 4 MRSA §1603, sub-§4-A is enacted to read:
21 22 23	4-A. Equipment purchases. "Equipment purchases" means the purchase of new or updated equipment and any capital improvements necessary to use the new or updated equipment.
24 25	Sec. 4. 4 MRSA §1603, sub-§7, as amended by PL 1997, c. 788, §1, is further amended to read:
26 27 28 29 30 31 32 33 34	7. Project, projects or part of any project. "Project, projects or part of any project" means the acquisition, construction, improvement, reconstruction or equipping of, or construction of an addition or additions to, any structure designed for use as a court facility, state office or state activity space and intended to be used primarily by the State, any agency, instrumentality or department of the State or by any branch of State Government. The structure may include facilities for the use of related agencies of state, county or local government. "Project, projects or part of any project" includes all real and personal property, lands, improvements, driveways, roads, approaches, pedestrian access roads, parking lots, parking facilities, rights-of-way, utilities, easements and other interests in

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land, machinery and equipment and all fixtures, appurtenances and facilities either on, above or under the ground that are used or usable in connection with the structure, and also includes landscaping, site preparation, furniture, machinery, equipment and other similar items necessary or convenient for the operation of a particular facility or structure in the manner for which its use is intended. "Project, projects or part of any project" also includes the acquisition, construction, improvement, reconstruction or repair of any equipment, device, technology, software or other personal property intended to be used primarily by the State, any agency, instrumentality or department of the State or by any branch of State Government or any related agency of state, county or local government. For the purpose of implementing section 1610-M, "project, projects or part of any project" also includes equipment purchases for career and technical education centers and career and technical education regions. The exact scope of each project, projects or part of any project, other than those for the Judicial Branch and the Legislative Branch, must be set forth in a written designation by the Commissioner of Administrative and Financial Services to the authority and the exact scope of each project, projects or part of any project for the Judicial Branch must be set forth in a written designation by the State Court Administrator to the authority. The scope of each project for the Legislative Branch must receive a majority vote of the Legislative Council and be set forth in a written designation by the Executive Director of the Legislative Council to the authority. "Project, projects or part of any project" does not include such items as fuel, supplies or other items that are customarily considered as a current operating charge.

Sec. 5. 4 MRSA §1604, sub-§18, as amended by PL 1997, c. 523, §9, is further amended to read:

18. Lease or rent any land, buildings, structures, facilities or equipment. To lease or rent any land, buildings, structures, facilities or equipment comprising all or a portion of a project, projects or part of any project for such amounts as the authority determines to the State or any agency, instrumentality or department of the State or a career and technical education center or career and technical education region or by any branch of State Government or any related agency of state, county or local government or a career and technical education center or career and technical education region, to further the purposes of the Act, provided that the obligation of the State or of any such agency, instrumentality, department or branch or of a career and technical education center or career and technical education region to make any rental or other payments is considered executory only to the extent of money made available by the Legislature, and that no liability on account of the state agency, instrumentality, department or branch or career and technical education center or career or career and technical education center or ca

Sec. 6. 4 MRSA §1610-M is enacted to read:

§1610-M. Additional securities; career and technical education centers and regions

1. Additional securities. Notwithstanding any limitation on the amount of securities that may be issued pursuant to section 1606, subsection 2, the authority may issue additional securities in an aggregate amount not to exceed \$20,000,000 for equipment purchases to career and technical education centers and career and technical education

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regions in accordance with this section, and the additional securities must be used for those purposes.

- **2. Delegation.** The authority may delegate those powers that may be delegated to the Department of Administrative and Financial Services, Bureau of General Services pursuant to section 1604, subsection 26 to the career and technical education region cooperative board, as defined in Title 20-A, section 1, subsection 6, or the school administrative unit that governs a career and technical education center subject to the same terms and conditions.
- **3. Issuance.** The authority may not issue any additional securities pursuant to this section after June 30, 2023.
- **4. Report.** The authority shall report to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs upon the allocation of all bond proceeds pursuant to this section. The joint standing committee of the Legislature having jurisdiction over education and cultural affairs may report out a bill to repeal this section and any related provisions of law upon receipt of that report.
- 5. Department of Education national industry standards evaluation. A career and technical education center or career and technical education region may submit an application for a project, projects or part of any project to the Department of Education. The Department of Education shall establish criteria, including an evaluation pursuant to Title 20-A, section 15688-A, subsection 6, for the approval of any project, projects or part of any project. The Department of Education shall notify the authority of any approved project, projects or part of any project under this subsection.
- 6. Debt service. Debt service costs for bonds issued by the authority to career and technical education centers and career and technical education regions for equipment purchases pursuant to this section must be paid by the State. On or before September 1st of each year, the authority shall prepare and submit to the Department of Education estimates of the appropriation requirements necessary to pay the debt service for each fiscal year of the ensuing biennium for bonds issued by the authority to career and technical education centers and career and technical education regions for equipment purchases.
- Debt service costs must be paid by the Commissioner of Education to the authority according to each career and technical education center's or career and technical education region's debt retirement schedule developed by the authority.
- All debt service costs must be paid by the Commissioner of Education to the authority one business day prior to the date of the center's or region's next debt service cost payment as outlined in the career and technical education center's or career and technical education region's debt retirement schedule. If the payment date falls on a Monday, payment must be made to the authority on the preceding Friday.
- **Sec. 7. Maine Governmental Facilities Authority report.** The executive director of the Maine Governmental Facilities Authority shall report to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs no later than January 15, 2022 if the Maine Governmental Facilities Authority determines that additional legislation is necessary to carry out the purposes of this Act, including but not limited to any legislation necessary to ensure that securities issued pursuant to this Act are tax-exempt. The joint standing committee of the Legislature having jurisdiction over

education and cultural affairs may report out legislation on the subject matter of the report to the Second Regular Session of the 130th Legislature.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

5 SUMMARY

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This amendment replaces the bill. It adds equipment purchases, defined as the purchase of new or updated equipment and any capital improvements necessary to use the new or updated equipment, of career and technical education centers and regions to the definition of "project, projects or part of any project" in the Maine Governmental Facilities Authority Act and to the authority to lease or rent any land, buildings, structures, facilities or equipment. The amendment also adds equipment purchases as a purpose for issuing additional securities, allows the Maine Governmental Facilities Authority to delegate certain powers to the cooperative board or school administrative unit that governs a career and technical education region or center, respectively, and provides that the Maine Governmental Facilities Authority may not issue any additional securities pursuant to this provision after June 30, 2023. The amendment requires the Maine Governmental Facilities Authority to report to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs upon the allocation of all bond proceeds. The joint standing committee of the Legislature having jurisdiction over education and cultural affairs may report out a bill to repeal the provision regarding the issuance of additional securities and any other provision of law relating to that provision. The amendment also provides that the executive director of the Maine Governmental Facilities Authority must report to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs no later than January 15, 2022 if the authority determines that additional legislation is necessary to carry out the purposes of this legislation, including but not limited to any legislation necessary to ensure that securities issued pursuant to this legislation are tax-exempt.

Career and technical education centers and regions are without sufficient funds to provide for equipment purchases and as such require additional mechanisms to raise funds for this purpose. It is the intent of this legislation to provide a limited alternative mechanism for career and technical education centers and regions to fund equipment purchases at career and technical education centers and regions to better serve the State's students.

FISCAL NOTE REQUIRED (See attached)

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