

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
105TH LEGISLATURE

COMMITTEE AMENDMENT "A" to H. P. 1189, L. D. 1664, Bill,
"AN ACT Creating the Maine Health Facilities Authority."

Amend said Bill in section 1 by striking out in the last line of that part designated "§ 2052." (same in L.D.) the underlined words and punctuation "to the extent and manner provided in this chapter." and inserting in place thereof the following: 'and the exercise of the powers, to the extent and manner provided in this chapter, is hereby declared the exercise of an essential governmental function.'

Further amend said Bill in section 1 by striking out in the first line of subsection 2 of that part designated "§ 2053." (same in L.D.) the underlined quoted words ""Bonds and notes"" and inserting in place thereof the underlined quoted words '"Bonds" and "notes"'

Further amend said Bill in section 1 by striking out in the 4th line (3rd line and 4th line in L.D.) of subsection 4 of that part designated "§ 2053." the underlined words "exempt from taxation and"

Further amend said Bill in section 1 by striking out in the 4th and 5th lines (4th line in L.D.) of subsection 5 of that part designated "§ 2053." the underlined words "obligations or of a mortgage or of advances" and inserting in place thereof the underlined words 'existing indebtedness'

(Filing No. H-216)

Further amend said Bill in section 1 in the 3rd line (same in L.D.) of subsection 7 of that part designated "§ 2053." by inserting after the underlined words and punctuation "authority, of" the underlined word 'any'

Further amend said Bill in section 1 by striking out all of the first sentence of subsection 1 of that part designated "§ 2054." and inserting in place thereof the following underlined sentence: 'There is hereby created a body politic and corporate to be known as the "Maine Health Facilities Authority."'

Further amend said Bill in section 1 by striking out all of the 2nd sentence of subsection 1 of that part designated "§ 2054." and inserting in place thereof the following underlined sentence: 'Said authority is constituted a public body corporate and politic and an instrumentality of the State, and the exercise by the authority of the powers conferred by this chapter shall be deemed and held to be the performance of an essential public function.'

Further amend said Bill in section 1 by striking out all of the 7th sentence of subsection 1 of that part designated "§ 2054." and inserting in place thereof the following underlined sentences: 'On or before the first day of July, annually, the Governor, with the advice and consent of the Executive Council, shall appoint, for a term of 5 years, a successor to the member whose term expires. Members shall continue in office until their successors have been appointed and qualified.'

Further amend said Bill in section 1 in the 11th line from the end of subsection 1 of that part designated "§ 2054." (10th line in L.D.) by inserting after the underlined word "Any" the underlined words 'non-ex officio'

(Filing No. H-214)

Further amend said Bill in section 1 by striking out all of the first underlined paragraph of that part designated "§ 2055." and inserting in place thereof the following underlined paragraph:

'The purpose of the authority shall be to assist participating hospitals in the undertaking of projects and the refinancing of existing indebtedness which are hereby declared to be public purposes and for the purposes of this chapter the authority is authorized and empowered:'

Further amend said Bill in section 1 in the 2nd line of subsection 5 of that part designated "§ 2055." (same in L.D.) by inserting after the underlined words "and to" the underlined word and punctuation 'acquire,' and in the 3rd line (2nd line in L.D.) by inserting after the underlined word and punctuation "renovate," the underlined word and punctuation 'improve,'

Further amend said Bill in section 1 in the 9th line of subsection 5 of that part designated "§ 2055." (8th in L.D.) by inserting after the underlined words and punctuation "authority, to" the underlined word and punctuation 'acquire,' and in the 10th line (8th in L.D.) by inserting after the underlined word and punctuation "renovate," the underlined word and punctuation 'improve,'

Further amend said Bill in section 1 by striking out in the first line of subsection 6 of that part designated "§ 2055." the underlined words and punctuation "To issue bonds," and inserting in place thereof the underlined words and punctuation 'To borrow money and issue bonds, notes,'

Further amend said Bill in section 1 by striking out in the first line of subsection 10 of that part designated "§ 2055." (same in L.D.) the underlined word "any" and inserting in place

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thereof the underlined words 'the Federal Government or the State or any other'

Further amend said Bill in section 1 in the 2nd line of subsection 11 of that part designated "§ 2055." (same in L.D.) by inserting after the underlined word "bonds" the underlined words 'or notes or other obligations'

Further amend said Bill in section 1 in the 4th line from the end of that part designated "§ 2059." by inserting after the underlined word "payable" the underlined words 'from the proceeds of bonds or renewal notes or'

Further amend said Bill in section 1 in the first line of that part designated "§ 2066" (same in L.D.) by inserting after the underlined word and punctuation "bonds," the underlined word and punctuation 'notes,'

Further amend said Bill in section 1 in the 3rd line of subsection 4 of that part designated "§ 2070." (same in L.D.) by striking out the underlined word "extension" and inserting in place thereof the underlined word 'extensions'

Further amend said Bill in section 1 by striking out all of the 3rd sentence of that part designated "§ 2073." and inserting in place thereof the following: 'Neither the making of contracts nor the issuance of bonds, notes, refunding bonds and other obligations pursuant to the provisions of this chapter need comply with the requirements of any other state law applicable to the making of contracts and the issuance of bonds, notes and other obligations, for the construction and acquisition of any project undertaken pursuant to this chapter.'

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Statement of Fact

The purpose of these amendments is to comply with bond counsel's recommendations as to the proper technical language to be utilized to insure the legality of the document.

Reported by the Committee on State Government.

Reproduced and distributed under the direction of the Clerk of the House.

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