

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
107TH LEGISLATURE
FIRST SPECIAL SESSION

(Filing No. H-1128)

COMMITTEE AMENDMENT "A" to H.P. 1899, L.D. 2079, Bill, "AN ACT to Make Health Care Projects Eligible for Bonding under the Maine Municipal Securities Approval Act."

Amend said Bill by striking out all of section 5 and inserting in place thereof the following:

'Sec. 5. 30 MRSA §5326, sub-§2-B is enacted to read:

2-B. Health care project. "Health care project" means the acquisition, construction, improvement, reconstruction or equipping of, or construction of any structure or any addition or additions to any structure, designed for use as a hospital, clinic, nursing home, ambulatory care facility, or other health care or nursing facility, laboratory, laundry, nurses or interns' residence or other multi-unit housing facility for staff, employees, patients or relatives of patients admitted for treatment in such facility, to be operated by a municipality or nonprofit or charitable organization or institution, including parking and other facilities or structures essential or convenient for the orderly conduct of such facility and shall include all real and personal property, lands, improvements, driveways, roads, approaches, pedestrian access roads, rights-of-way, utilities, easements, parking lots, machinery and equipment, including transportation equipment, and all other appurtenances and facilities either on, above or under the ground which are used or usable in connection with the afore-

mentioned structures, and shall include landscaping, site preparation, furniture, machinery and equipment and other similar items necessary or convenient for the operation of a particular facility or structure.'

Further amend said Bill by inserting after section 8 the following:

'Sec. 9. 30 MRSA §5328, sub-§4, ¶F is enacted to read:

F. In the case ^{of} a health care project, the authority shall not issue a certificate of approval until it has determined:

(1) That such project will be owned or operated by a municipality or nonprofit or charitable institution or organization which is exempt from federal taxation pursuant to section 501 of the Internal Revenue Code of 1954, as amended, and which is engaged in the operation of, or formed for the purpose of operating a health care facility in which health care is or will be rendered under the general direction of persons licensed to practice medicine in the State and which is, or will be upon completion, licensed as a health care facility under the laws of the State;

(2) That such project will enable or assist a municipality or nonprofit institution or organization to provide health care to the residents of the project's proposed or existing service area,

(3) That such project has been reviewed and approved by the appropriate regional and state health service agencies or by the agency of the State which serves as the designated planning agency of the State for purposes of section 1122 of the Federal Social Security Act, as amended.'

Further amend said Bill by renumbering section 9 to be section 10.

Statement of Fact

The purpose of this amendment is to assure that any facility constructed under its provision be nonprofit in confidence with the Internal Revenue Code.

Reported by the Committee on Appropriations and Financial Affairs.

Reproduced and distributed under the direction of the Clerk of the House.
3/30/76

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