

MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 2079

H. P. 1899

House of Representatives, January 23, 1976

Referred to Committee on Appropriations and Financial Affairs. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Walker of Island Falls.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SIX

**AN ACT to Make Health Care Projects Eligible for Bonding
under the Maine Municipal Securities Approval Act.**

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

Sec. 1. 30 MRSA § 5325, sub-§ 1, as last repealed and replaced by PL 1975, c. 223, § 1, is amended to read:

1. Revenue-producing industrial-commercial, pollution-control, health care or recreational projects and multi-level parking facility. To acquire, construct, reconstruct, renew and replace industrial-commercial, pollution-control, health care, recreational and combined projects, and multi-level private parking facilities within or partly within the corporate limits of the municipality;

Sec. 2. 30 MRSA § 5325, sub-§ 4, 1st sentence, as last repealed and replaced by PL 1975, c. 223, § 2, is amended to read:

The municipal officers are authorized and empowered to acquire from funds provided under the authority of this chapter such lands, structures, property, rights, rights-of-way, franchises, easements and other interests in lands, including lands lying under water and riparian rights, which are located within the State as it may deem necessary or convenient for the construction or operation of any industrial-commercial, pollution-control, health care, recreational or combined project, and any multi-level private parking facility upon such terms and conditions as they shall deem reasonable and proper, and to dispose of any of the foregoing in the exercise of its powers and the performance of its duties under this chapter;

Sec. 3. 30 MRSA § 5325, sub-§ 6, 1st sentence, as last repealed and replaced by PL 1975, c. 223, § 3, is amended to read:

To enter into contracts with the State or the Federal Government or any agency or instrumentality thereof, or with any other municipality providing for or relating to an industrial-commercial, pollution-control, **health care**, recreational or combined facility, or a multi-level private parking facility; provided, in the case of contracts with the Federal Government involving pollution-control facilities, that the consent of the Board of Environmental Protection is first obtained, such board being authorized to grant such consent notwithstanding Title 38, section 362;

Sec. 4. 30 MRSA § 5325, sub-§ 7, 1st sentence, as last repealed and replaced by PL 1975, c. 223, § 3, is amended to read:

To accept from any authorized agency of the State or the Federal Government loans or grants for the planning, construction or acquisition of any industrial-commercial, pollution-control, **health care**, recreational or combined facility or any multi-level private parking facility and to enter into agreements with such agency respecting any such loans or grants, and to receive and accept aid and contributions from any source of either money, property, labor or other things of value, to be held, used and applied only for the purposes for which such loans, grants and contributions may be made; provided, in the case of loans, grants or other aid from the Federal Government involving pollution-control facilities that the consent of the Board of Environmental Protection is first obtained, such board being authorized to grant such consent notwithstanding Title 38, section 362; and

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

2-B. **Health care project.** "Health care project" means any building, structure, machinery, equipment or facilities, including transportation equipment or facilities and land, which may be deemed necessary for any one or more of the following purposes:

- A. The treatment of chronic or acute physical illness, chronic or acute mental illness or other physical or mental disability or infirmity, or any 2 or 3 of such categories;
- B. The conduct of research into human physical or mental well-being, or both; or
- C. Otherwise caring for the sick, aged or infirm.

Sec. 6. 30 MRSA § 5328, sub-§ 3, 2nd sentence, as repealed and replaced by PL 1973, c. 788, § 150, is amended to read:

In any event no project shall be approved and no certificate of approval shall be issued until the Department of Environmental Protection, and in the case of health care projects, the Department of Human Services or the Department of Mental Health and Corrections, or both, where required by state law, has certified to the authority that all licenses required from the Department of Environmental Protection that department or those departments with respect to the project have been issued or that none are required.

Sec. 7. 30 MRSA § 5328, sub-§ 4, ¶ A, as last amended by PL 1971, c. 210, § 6, is further amended to read:

A. The project will make a significant contribution to the economic growth of ~~or~~, the control of pollution in or the betterment of the health of the inhabitants of the State;

Sec. 8. 30 MRSA § 5328, sub-§ 4, ¶ E, last sentence, as enacted by PL 1971, c. 210, § 8 and as amended by PL 1973, c. 633, § 18, is further amended to read:

If the authority is satisfied that the foregoing determinations can be made and that a certificate of approval can be issued upon receipt of the certificate ~~of the Department of Environmental Protection or certificates~~ required by subsection 3, the authority may so advise the ~~Department of Environmental Protection~~ departments concerned, which may treat such advice as the completion of arrangements for financing for purposes of Title 38, section 451, subsection 1, paragraph B.

Sec. 9. 30 MRSA § 5341, as enacted by PL 1965, c. 423, § 1 and as last repealed and replaced by PL 1975, c. 223, § 6, is amended to read:

§ 5341. Purpose

It is declared that there is a state-wide need for industrial-commercial, pollution-control, ~~health-care~~, recreational and combined projects, and for multi-level private parking facilities to provide enlarged opportunities for gainful employment by the people, to restore purity to the air, the water or the earth of the State which are fouled with, among other things, industrial and other waste materials and pollutants, to more adequately serve the working people of this State, and to provide a more healthy environment and thus to insure the preservation and betterment of the economy of the State and the living standards and health of its inhabitants.

STATEMENT OF FACT

This bill proposes to make health care projects eligible for bonding under the Maine Municipal Securities Approval Act. By making health care projects available for bonding, subject to the approval of the Maine Guarantee Authority, this bill will enable Maine municipalities in rural areas to attract funding from private sources to build hospitals and clinics and to construct facilities for the care of the aged, infirm and mentally ill.