

# MAINE STATE LEGISLATURE

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EMERGENCY  
FIRST REGULAR SESSION

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ONE HUNDRED AND TENTH LEGISLATURE

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**Legislative Document**

**No. 755**

H. P. 650

House of Representatives, February 10, 1981

Referred to the Committee on Business Legislation. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Kelleher of Bangor.

Cosponsors: Senator Devoe of Penobscot and Representative Tarbell of Bangor.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

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**AN ACT to Enable Eastern Maine Medical Center to File Articles of Incorporation under the Maine Nonprofit Corporation Act.**

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**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, Eastern Maine Medical Center was organized by a special Act of the Legislature, Private and Special Law 1891, chapter 217, as amended by Private and Special Law 1897, chapter 388, and Private and Special Law 1969, chapter 87; and

Whereas, the Maine Nonprofit Corporation Act, Title 13-B of the Maine Revised Statutes provides that that Act shall not apply to corporations organized by special Act; and

Whereas, Eastern Maine Medical Center is about to undertake a major financing program and has been requested by bond counsel to attempt to bring Eastern Maine Medical Center under the provisions of the Maine Nonprofit Corporation Act without qualifications; and

Whereas, such financing program is expected to be undertaken prior to the adjournment of the current session of the Legislature; and

Whereas, in the judgment of the Legislature, these facts create an emergency

within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Eastern Maine Medical Center; subject to Maine Nonprofit Corporation Act.** Upon the filing by Eastern Maine Medical Center, with the Secretary of State, of Articles of Incorporation under the Maine Nonprofit Corporation Act, Revised Statutes, Title 13-B, all provisions heretofore enacted by a special Act of the Legislature, relating to Eastern Maine General Hospital, Bangor General Hospital and Eastern Maine Medical Center, shall be of no further effect and Private and Special Law 1891, c. 217; Private and Special Law 1897, c. 388; and Private and Special Law 1969, c. 87, are repealed as of that date and Eastern Maine Medical Center shall be subject in all respects to the Maine Nonprofit Corporation Act.

The organization and corporate existence of Eastern Maine Medical Center is hereby confirmed and made valid in all respects and nothing in this Act shall be deemed to interrupt or terminate the corporate existence.

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved.

#### STATEMENT OF FACT

Eastern Maine Medical Center was organized in 1891 pursuant to a Private and Special Act of the Legislature. Since that time, there have been 2 subsequent Private and Special Acts relating to the corporate structure of the hospital. The purpose of this legislation is to remove ambiguities and obsolete provisions in the medical center's basic corporate documentation by replacing the special legislation with a standard Articles of Incorporation and to clarify the applicability of the Maine Nonprofit Corporation Act to its organization and operation.