

# MAINE STATE LEGISLATURE

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(EMERGENCY)

FIRST REGULAR SESSION

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ONE HUNDRED AND ELEVENTH LEGISLATURE

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Legislative Document

No. 194

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H.P. 169

House of Representatives, January 17, 1983

Received by the Clerk of the House on January 17, 1983. Referred to the Committee on Health and Institutional Services, and ordered printed pursuant to Joint Rule 14.

EDWIN H. PERT, Clerk

Presented by Representative MacEachern of Lincoln.

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STATE OF MAINE

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

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**AN ACT to Amend and Supplement  
Certain Powers of Hospital Administrative  
District No. 1.**

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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, there is an immediate need for Hospital Administrative District No. 1, the "district," a body politic and corporate established pursuant to Private and Special Law 1967, chapter 58, to be able to borrow moneys for operating expenses, in order to ensure the continuous provision of medical care for the inhabitants of the district; and

Whereas, it is in the best interest of the inhabitants of the district to immediately permit the district to legally establish affiliated organiza-

1 tions to engage in other activities deemed by the  
2 district necessary or desirable to improve provisions  
3 for the health and medical needs of the inhabitants  
4 of the district; and

5 Whereas, in the judgment of the Legislature,  
6 these facts create an emergency within the meaning of  
7 the Constitution of Maine and require the following  
8 legislation as immediately necessary for the preser-  
9 vation of the public peace, health and safety; now,  
10 therefore,

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

13 Sec. 1. P&SL 1967, c. 58, §1, as last amended by  
14 P&SL 1975, c. 106, §1, is repealed and the following  
15 enacted in its place:

16 Sec. 1. Incorporation; purposes. The inhabi-  
17 tants of the territory within the Towns of  
18 Mattawamkeag, Howland, Enfield, Burlington, Lowell,  
19 Lincoln, Springfield, Lee, Passadumkeag, Chester,  
20 Winn and Maxfield, and Sebois Plantation, Prentiss  
21 Plantation and Webster Plantation are constituted and  
22 confirmed a body politic and corporate, to be known  
23 as "Hospital Administrative District No. 1" in order  
24 to provide for the health, welfare and public benefit  
25 of the inhabitants of the district. The hospital  
26 district shall acquire or construct, extend and  
27 improve a regional general hospital system, includ-  
28 ing, but not limited to, acute care facilities,  
29 extended care facilities, intermediate care facili-  
30 ties, free standing satellite facilities and facili-  
31 ties designed for utilization as offices by physi-  
32 cians, to be located at a place or places within the  
33 district for the care of the inhabitants of the dis-  
34 trict and those persons outside the district who may  
35 require medical care, for the purpose of maintaining  
36 and operating a hospital system, including, but not  
37 limited to, acute care facilities, extended care  
38 facilities, free standing satellite facilities and  
39 facilities designed for utilization as offices by  
40 physicians, and of generally providing for the health  
41 and medical needs of the inhabitants of the district.  
42 Without limiting the generality of this section, the

1 district may also establish affiliated organizations,  
2 either alone or with others and within or outside the  
3 district, including medical centers, health care cen-  
4 ters, nursing centers, laboratories, clinics and  
5 other medical, surgical or dental facilities, facili-  
6 ties to provide health-related shared services and  
7 such other organizations or entities, on a for-profit  
8 or not-for-profit basis, as the district may deem  
9 necessary or desirable from time to time, in order to  
10 provide, alone or with others, for the health and  
11 medical needs of the inhabitants of the district.  
12 The organization and existence of, and the district's  
13 participation in, Katahdin Shared Services, Inc., is  
14 hereby ratified and confirmed.

15 In effectuating any of the purposes of this  
16 section or any of the other purposes permitted to be  
17 engaged in by the district, the district may, subject  
18 to the provisions of this Act, as amended and suppl-  
19 mented from time to time, acquire real or personal  
20 property, or any interest therein, on either a tempo-  
21 rary or long-term basis by gift, purchase, transfer,  
22 foreclosure, lease or otherwise, including rights or  
23 easements; hold, manage, operate, sell, assign,  
24 lease, encumber, mortgage or otherwise dispose of any  
25 real or personal property, or any interest therein,  
26 or mortgage interest owned by it under its control,  
27 custody or in its possession and release or relin-  
28 quish any right, title, claim, lien, interest, ease-  
29 ment or demand however acquired; apply for and accept  
30 from any source grants, loans, advances and contribu-  
31 tions of money, property, labor or other things of  
32 value, to be held, used and applied for permitted  
33 purposes; lease or rent any lands, buildings, struc-  
34 tures, facilities or equipment from private parties  
35 to effectuate the purposes permitted to be engaged in  
36 by the district; and enter into agreements or other  
37 transactions with any person, the purpose of which is  
38 to effectuate the accomplishment of the purposes per-  
39 mitted to be engaged in by the district, including  
40 construction agreements, purchase or acquisition  
41 agreements, partnership agreements, including limited  
42 partnership agreements, joint ventures, participation  
43 agreements or agreements with leasing corporations or  
44 other financial intermediaries.

1           Sec. 2. P&SL 1967, c. 58, §2, 2nd sentence, as  
2 amended by P&SL 1975, c. 106, §2, is repealed and the  
3 following enacted in its place:

4           They shall be responsible for providing, in whole or  
5 in part, physical facilities for a hospital system  
6 and, where necessary or desirable, physical facili-  
7 ties for affiliated organizations within or outside  
8 the district, equipped and staffed to meet needed  
9 health-care services for the inhabitants of the dis-  
10 trict.

11           Sec. 3. P&SL 1967, c. 58, §2, 6th ¶, first sen-  
12 tence, is amended to read:

13           Each member of the board of directors may be paid  
14 §8 a fee for each official meeting of the board that  
15 he attends, and no director shall be employed by the  
16 hospital district.

17           Sec. 4. P&SL 1967, c. 58, §6, as amended by P&SL  
18 1973, c. 201, §3, is further amended by adding at  
19 the end a new paragraph to read:

20           In addition to the other powers provided by this  
21 Act, the district may, by vote of a majority of its  
22 directors and without action by the voters of the  
23 district, issue bonds or notes of the district to pay  
24 expenses of operation. These bonds or notes shall  
25 not exceed at any one time outstanding more than 10%  
26 of the district's operating budget.

27           Sec. 5. P&SL 1967, c. 58, §8, sub-§4, as enacted  
28 by P&SL 1967, c. 211, §2, is repealed and the follow-  
29 ing enacted in its place:

30           4. Surplus. If any surplus remains at the end  
31 of the year, it may be transferred to an account for  
32 the purpose of paying the principal or interest on  
33 any outstanding obligation or it may be set aside in  
34 a surplus account for use by the district for any ac-  
35 tivity in which the district may engage.

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

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STATEMENT OF FACT

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The purpose of this bill is reflected in the  
3 emergency preamble.

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