

MAINE STATE LEGISLATURE

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Date: 6/6/13

Minority

(Filing No. H-391)

STATE AND LOCAL GOVERNMENT

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
126TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 799, L.D. 1127, Bill, "An Act To Establish Hospital Administrative District No. 5, a Regional Hospital Administrative District in Lincoln County"

Amend the bill in section 1 in the last paragraph in the first line (page 2, line 16 in L.D.) by striking out the following: "shall" and inserting the following: 'may'

Amend the bill in section 2 by striking out all of the first 11 lines (page 2, lines 21 to 31 in L.D.) and inserting the following:

Sec. 2. Directors; powers and duties; limitations. The district is governed by a board of directors composed of up to 11 members who represent the towns that have voted to join the district. The representation of each town, if the town votes to join the district, must be as follows: 4 members from the Town of Boothbay, 3 members from the Town of Boothbay Harbor and 2 members each from the Town of Edgecomb and the Town of Southport. The members must be elected by popular vote at the annual meeting in each town. Except as provided in this section, a member's term of office is 3 years. In the first year of organization, the election in each town may be held at the annual or special meeting at which the town elects to join the district or the municipal officers of the town may appoint the members from the town until the next annual or special town meeting, at which the members must be elected by popular vote. At the first meeting of the board of directors, up to 3 directors must be assigned to one-year terms, up to 3 directors must be assigned to 2-year terms and up to 5 directors must be assigned to 3-year terms. The terms must be decided by the drawing of lots by the board members, and the clerk of each town must be advised as to the result.'

Amend the bill in section 2 in the 2nd paragraph in the 9th line (page 2, line 40 in L.D.) by striking out the following: "directos" and inserting the following: 'directors'

Amend the bill in section 5 in the first paragraph in the 16th and 17th lines (page 5, lines 2 and 3 in L.D.) by striking out the following: "district's voting list" and inserting the following: 'voting lists obtained pursuant to section 6'

COMMITTEE AMENDMENT

1 Amend the bill in section 5 in the last paragraph in the last line (page 5, line 29 in
2 L.D.) by striking out the following: "district voting list" and inserting the following:
3 'voting lists obtained pursuant to section 6'

4 Amend the bill by striking out all of section 6 and inserting the following:

5 '**Sec. 6. Voting lists.** The board of directors shall appoint a resident of the district
6 to obtain a voting list from each town within the district on paper or electronically. This
7 person is known as the registration clerk. The registration clerk's request to obtain a
8 voting list must be made at least 5 business days in advance of an election, and the town
9 clerk must supply the voting list to the registration clerk no later than the day prior to the
10 election at no charge.'

11 Amend the bill by striking out all of section 13 and inserting the following:

12 '**Sec. 13. Other towns may join; towns may withdraw.** A town that does not
13 belong to the district may be included in the district if the town votes by a majority vote
14 at a meeting legally called and held to join the district and the voters of the district by
15 majority vote at a district meeting called and held for that purpose vote to authorize the
16 addition of the requesting town. The provisions of section 11, as appropriate, apply to
17 any such district meeting. The town shall assume a proportionate share of any
18 outstanding indebtedness of the district then existing. A town that belongs to the district
19 may withdraw from the district by vote of a majority of the voters present and voting at a
20 town meeting called and held for that purpose. A town that withdraws from the district
21 shall assume a proportionate share of any outstanding indebtedness of the district existing
22 on the date of the vote to withdraw.'

23 Amend the bill in section 14 in the first paragraph in the 6th to 9th lines (page 9, lines
24 9 to 12 in L.D.) by striking out the following: ", except that the registrars of voters are
25 not required to prepare, nor the clerks to post, new lists of voters and for the purpose of
26 registration of voters the registrars of voters must be in session on the secular day next
27 preceding the regular or special meetings"

28 Amend the bill in section 14 in the 3rd paragraph in the last 2 lines (page 9, lines 25
29 and 26 in L.D.) by striking out the following: "towns, and due certification must be filed
30 by the town clerks with the Secretary of State" and inserting the following: 'towns and
31 filed in town records. The town clerks must report the result of the vote to the
32 registration clerk, and the registration clerk must compile and declare the results'

33 **SUMMARY**

34 This amendment is the minority report of the committee and makes the following
35 changes to the bill, which establishes Hospital Administrative District No. 5, a regional
36 hospital administrative district in Lincoln County.

37 1. The amendment removes the requirement that the district initially operate a
38 hospital and provide health care services from the existing St. Andrews Hospital and
39 Healthcare Center campus and instead provides authorization to operate a hospital and
40 provide health care services.

41 2. The amendment provides an option for a town to have its municipal officers
42 appoint the town's initial members on the board of directors of the district.

COMMITTEE AMENDMENT

- 1 3. The amendment increases the number of members on the board of directors of the
- 2 district from 7 to up to 11 depending on which towns join and adjusts the staggered
- 3 membership in the first year accordingly.

- 4 4. The amendment allows a town to vote to withdraw from the district but requires
- 5 such a town to assume responsibility for a proportionate share of the indebtedness of the
- 6 district.

- 7 5. The amendment clarifies that voting lists must be obtained by the district's
- 8 registration clerk from each town in the district on paper or electronically instead of
- 9 requiring the registration clerk to compile a district voting list from the towns' lists. The
- 10 amendment provides that the towns must supply the lists at no charge.

- 11 6. The amendment removes language that is not needed because elections to form the
- 12 district are conducted by towns using the towns' voting lists, which can be printed the day
- 13 before the elections and include up-to-date information, and are conducted in accordance
- 14 with the municipal election process.

- 15 7. The amendment requires the result of the election to form the district to be filed in
- 16 town records.

- 17 8. The amendment requires town clerks to report the results of the elections to the
- 18 registration clerk, who must compile and declare the results, instead of requiring the town
- 19 clerks to file certification with the Secretary of State.

FISCAL NOTE REQUIRED

(See attached)

COMMITTEE AMENDMENT



126th MAINE LEGISLATURE

LD 1127

LR 87(02)

An Act To Establish Hospital Administrative District No. 5, a Regional Hospital Administrative District in Lincoln County

Fiscal Note for Bill as Amended by Committee Amendment

A (H-391)

Committee: State and Local Government

Fiscal Note Required: Yes

Fiscal Note

State Mandate - Exempted

Potential future biennium cost increase - General Fund

State Mandates

Required Activity

Municipalities required to call meetings and to hold regular or special elections.

Unit Affected

Municipality

Local Cost

Moderate
limited scope

Pursuant to the Mandate Preamble, the two-thirds vote of all members elected to each House exempts the state from the constitutional requirement to fund 90% of the additional costs.

Fiscal Detail and Notes

The potential fiscal impact on the MaineCare program and the State Employee Health Plan cannot be determined at this time.