

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Sixth Legislature
1ST SPECIAL SESSION
JANUARY 2, 1974 TO MARCH 29, 1974
AND BY THE
One Hundred and Seventh Legislature
REGULAR SESSION
JANUARY 1, 1975 TO JULY 2, 1975

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SECTION 164, SUBSECTION 6.

THE KNOWLTON AND McLEARY COMPANY
FARMINGTON, MAINE
1975

PRIVATE AND SPECIAL LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
One Hundred and Seventh Legislature

1975

of indebtedness of the district in one series, or in separate series, in an amount or amounts at such rates of interest and on such terms and conditions as the trustees shall determine; provided, however, that the total outstanding indebtedness of said district shall at no time exceed the sum of ~~\$500,000~~ \$1,000,000.

Effective October 1, 1975

CHAPTER 47

AN ACT to Revise Certain Provisions of the Act Creating Hospital Administrative District No. 4 in Piscataquis, Somerset and Penobscot Counties.

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

Whereas, a hospital which conforms to federal and state standards is vitally necessary to the people of Hospital Administrative District #4; and

Whereas, financing of said hospital shall be done through the issuance of bonds and notes; and

Whereas, certain provisions of the enabling legislation require clarification prior to the issuance of any bonds or notes; 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:

Sec. 1. P & SL 1973, c. 76, § 1, 2nd sentence, is repealed and the following enacted in place thereof:

To acquire or construct, extend and improve a regional general hospital system, including but not limited to, acute care facilities, extended care facilities, intermediate care facilities and free standing satellite facilities, to be located at a place or places within the district for the care of the inhabitants of said district and those persons outside the district who may require medical care; for the purpose of maintaining and operating a hospital system including, but not limited to, acute care facilities, extended care facilities, and free standing satellite facilities, to generally provide for the health and medical needs of residents of the district; and for the purpose of receiving, accepting and holding gifts, grants or devises of property, real, personal or mixed, in trust or otherwise, to be used for the hospital system and related medical and surgical purposes; all for the benefit of the inhabitants of said district.

Sec. 2. P & SL 1973, c. 76, § 2, 2nd ¶, 2nd sentence, is amended to read:

They shall be responsible for providing a hospital physical plant physical facilities for a hospital system within the district equipped and staffed to maintain the needed facilities and services for patients.

Sec. 2-A. P & SL 1973, c. 76, § 2, 5th ¶ is amended to read:

Each year the board of directors shall elect a president, vice-president, a treasurer and a secretary. Upon appointment of a hospital administrator, he will serve as secretary ex officio for the board.

Sec. 3. P & SL 1973, c. 76, § 3, first and 2nd ¶¶ are repealed and the following enacted in place thereof:

To procure funds to carry out the purposes of this Act, the district may, through its board of directors, borrow money and issue bonds and notes therefor to an indebtedness not to exceed \$7,000,000. Each bond shall bear interest at such rates as the board of directors may determine, payable annually or semiannually and subject to other provisions as determined by the directors. Said bonds and notes may be issued to mature serially or to run for such periods as said directors determine. In case bonds or notes are issued to mature serially, the first principal payment thereon, shall be made not later than 3 years from their date of issue. All bonds may, at the discretion of the board of directors, be made callable and the amount of premium to be paid on call and the period for which said callable bonds shall not be redeemable shall be left to the discretion of the board of directors. Said discretion as herein given may be manifested by a vote of the majority of the board of directors.

Sec. 4. P & SL 1973, c. 76, § 4, first ¶, 2nd sentence, is amended to read:

The amount to be paid annually into such sinking fund shall not be less than ~~4%~~ 2% of the total principal amount of such bonds or notes originally issued and such payments shall commence not later than 3 years following the date of issue of such bonds or notes.

Sec. 5. P & SL 1973, c. 76, § 4, 3rd ¶, is amended to read:

In case the amount in any sinking fund shall not be sufficient to pay the total amount, when due, of the bonds and notes for which such sinking fund was provided, or in case it shall become desirable in the opinion of the directors to call for redemption any outstanding bonds or notes and to issue new bonds or notes in their stead, authority is granted to refund so many of said original bonds or notes as cannot be paid or redeemed from the sinking fund provided therefor, if any, but in no case shall such new bonds or notes mature more than ~~40~~ 50 years from the original date of issue of the original bonds or notes so refunded.

Sec. 6. P & SL 1973, c. 76, § 4, is amended by adding at the end a new paragraph to read:

When an issue of bonds or notes has been authorized hereunder, the board of directors may issue or authorize the treasurer, with the approval of the president, to issue temporary notes in anticipation of the proceeds of said bonds or notes. Such temporary notes may be issued for a period not to exceed 5 years and any such notes issued for a shorter period may be renewed from time to time by the issue of other notes, provided that the period from the original date of issue to the date of maturity of the last renewal thereof shall not be more than 5 years. The term of any such notes shall not be included in the 50-year period provided for in the preceding paragraph.

Sec. 7. P & SL 1973, c. 76, § 6, is repealed and the following enacted in place thereof:

Sec. 6. Authority to issue temporary notes in anticipation of taxes or revenues. In any fiscal year, in anticipation of taxes assessed or to be assessed for such year, the board of directors of the district may, by a vote of a majority of its members, authorize the borrowing of money by the issuance and sale of temporary notes of the district. If taxes have not been levied in such year, the amount of borrowing shall not exceed 50% of the approved budget in the preceding year. If taxes have been levied in such year, the amount of such borrowing shall not exceed in the aggregate the total amount of the approved budget in the current fiscal year less the amount thereof collected in the participating towns and plantations and paid to the treasurer of the board of directors. Such temporary notes of the district may be issued for a period of not more than one year and any such temporary notes may be renewed from time to time by the issuance of other temporary notes, provided the period from the date of issue of the original note to date of maturity or last renewal thereof shall not be more than one year. Notes in anticipation of taxes which are not paid at the end of any fiscal year may be renewed for an additional period not exceeding one year but there shall be included in the budget for that year an amount sufficient to pay said notes and that amount shall be assessed and collected as provided in section 9; provided, however, that said district may pay said notes from revenues, or proceeds of bonds, or notes in anticipation of the issuance of bonds, if the board of directors in its discretion determines said alternative payment source to be in the best interest of the district.

The board of directors of the district may, by vote of a majority of its members, authorize the borrowing of money by the issuance and sale of temporary notes of the district in anticipation of revenues. Such notes, issued during the first 12 months of operation as a Hospital Administrative District, shall mature not later than 3 years thereafter and said notes shall not exceed, in the aggregate, the sum of \$100,000. In any subsequent year, the board of directors of the district may, by vote of a majority of its members, authorize the borrowing of money by the issuance and sale of temporary notes of the district in anticipation of revenues in an amount not to exceed the total amount of revenues expected by the board of directors to be received within one year from their date of issue, less the amount of any notes in anticipation of revenues or in anticipation of taxes then outstanding. Such notes in anticipation of revenues may be renewed from time to time provided that the period during which such notes might have been outstanding shall not be extended thereby. Notes in anticipation of revenues, or renewals thereof, which are not paid at the end of 3 years from the original issuance thereof may be renewed for an additional period not exceeding one year but there shall be included in the budget for that year an amount sufficient to pay such notes and that amount shall be assessed and collected as provided in section 9.

Sec. 8. P & SL 1973, c. 76, § 8, first ¶ is amended to read:

The board of directors shall require all persons hospitalized or treated in any hospital or hospitals or other facility of the district to pay to the treasurer of said district the rates established from time to time by said board of directors for hospital and related medical or surgical care. ~~The~~ Notwithstanding the aforesaid, the directors may set rates that are lower for inhabitants of the district than for those hospitalized or treated persons who reside outside the district in recognition of the taxation powers of the district as such relates to the taxation of property within the district and said board may provide such level of uncompensated hospitalization and services as it deems to be in the

best interests of the inhabitants of the district. Such rates shall be so established, subject to other provisions of this Act, as to provide revenue for the following purposes :

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

Effective May 7, 1975

CHAPTER 48

AN ACT Relating to Sources of Supply and Authority of Yarmouth Water District.

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

P&SL 1923, c. 72, § 2, first sentence, is repealed and the following enacted in place thereof :

For any of the purposes aforesaid, or for the preservation and purity of said water, said district is hereby authorized to take and use water from Royal River, or from any spring, pond, brook or other source of water in the Towns of Yarmouth and New Gloucester, or from any springs, brook, pond or other source of water in the Town of North Yarmouth, or to purchase from any other water district or company; to conduct and distribute the same into and through the said Towns of Yarmouth and North Yarmouth; to survey for, locate, lay, erect and maintain suitable dams, reservoirs and machinery, pipes, aqueducts and fixtures; to carry its pipes or aqueducts under, in and over the Royal River, so called, or under or over any water course or body of water, bridge, street, railroad, highway or other way; and said district is further authorized to enter upon and excavate any highway or other way, in such manner as least to disturb the same, and shall leave said ways in as safe and passable condition as before such excavation; to enter, pass over and excavate any lands, and to take and hold by purchase or otherwise, any real estate, rights of way or of water, and in general to do any acts necessary, convenient or proper for carrying out any of the purposes hereinbefore specified.

Effective October 1, 1975

CHAPTER 49

AN ACT to Validate the Election of Municipal Officials in the City of Hallowell in 1971 through 1974.

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

Whereas, municipal elections were held in the City of Hallowell in 1971 and in 1973 on the first Tuesday of November in order to coincide with a special state-wide election; and

Whereas, the charter of that city indicates that municipal elections should be held on the first Monday following the first Tuesday of November; and