

## PRIVATE AND SPECIAL LAWS ESTABLISHING HAD #4 AS AMENDED

### **APPROVED**

### **LD**

### **DIRECTORY OF BILLS**

5/11/73	681	An ACT to Create HAD #4 in Piscataquis, Somerset and Penobscot Counties
1/24/74	2181	An ACT Relating to Number of Directors of HAD #4 in Piscataquis, Somerset and Penobscot Counties
5/21/75	1213	An ACT to Revise Certain Provisions of the Act Creating HAD #4 in Piscataquis, Somerset and Penobscot Counties
7/25/84	2356	An ACT to Authorize HAD #1 and HAD #4 to Engage in a Joint Venture for the Purpose of Owning and Operating a Regional Mobile Computerized Axial Tomography Scan Unit
11/25/87	1930	An ACT to Amend Certain Powers of HAD #4
4/18/95	493	An ACT to Amend Certain Powers of HAD #4
3/29/00	2559	An ACT to Amend the Charter of HAD #4

*Complete*

STATE OF MAINE

APPROVED

CHAPTER

MAY 11 '73

76

BY GOVERNOR

B & S LAW

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-THREE

H. P. 515 — L. D. 681

AN ACT to Create 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 regional hospital is vitally necessary at the earliest possible time to service the needs of the area; 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. Incorporation; purposes. The inhabitants of and the territory within the Towns of Wellington, ~~Monson~~, ~~Abbot~~, ~~Parkman~~, ~~Willimantic~~, ~~Guilford~~, ~~Sangerville~~, Bowerbank, ~~Dover-Foxcroft~~, ~~Sebec~~, ~~Atkinson~~, Brownville and Milo and the Plantations of Kingsbury, Blanchard, ~~Barnard~~ and Lakeview, all in the County of Piscataquis, the Towns of Cambridge and Ripley in the County of Somerset, and the Towns of Dexter, Corinna, Garland, Charleston, ~~Bradford~~ and LaGrange, all in the County of Penobscot, or any combination of said towns and plantations are constituted and confirmed a body politic and corporate to be known as "Hospital Administrative District No. 4" for the benefit and welfare of the inhabitants of the district and for the following purposes: To acquire or construct, extend and improve a community general hospital, which may include extended care facilities, to be located 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, including extended care facilities, and providing generally for the health and medical needs of patients; 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 and related hospital, medical and surgical purposes; all for the benefit of the inhabitants of said district.

Sec. 2. Directors; powers and duties; limitations. The district shall be governed by a board of directors, composed of one member from each town or plantation, which members shall be elected by popular vote at the annual meeting in each such town or plantation. The term of office shall be 3 years. In the first year of organization, such election may be held at the annual or special meeting at which such towns or plantations shall elect to join the district, and  $\frac{1}{3}$  of the members shall be elected for one year,  $\frac{1}{3}$  for 2 years and  $\frac{1}{3}$  for 3 years. At the first meeting of the board of directors, the appointments of one-year, 2-year and 3-year terms shall be determined by lot, and the clerk of each town or plantation shall be advised as to the result.

The board of directors shall constitute the governing body of the district. They shall be responsible for providing a hospital physical plant equipped and staffed to maintain the needed facilities and services for patients. The governing body shall adopt bylaws in accordance with legal requirements. It may provide for an executive committee from its membership who may exercise all the powers of the governing body of the district between regular meetings of the board. It shall meet at regular, stated intervals; it shall appoint necessary committees as indicated for special purposes; it shall establish a formal means of liaison with the hospital medical staff by a joint conference committee; it shall appoint members of the medical staff and a qualified hospital administrator.

No section of this agreement shall be construed to restrict the right to apply for the attending staff of any individual qualified to practice medicine and surgery under the laws of the State of Maine.

Any vacancy upon the board of directors, occurring because of resignation or other loss of a member, shall be filled by appointment by the selectmen of the town or assessors of the plantation involved, this appointment to be effective until the next town meeting or plantation meeting.

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

Each member of the board of directors may be paid \$10 for each official meeting of the board that he attends, and no director shall be employed by the hospital district. The treasurer may, in addition, be paid an annual salary, the stipend to be determined by the board.

**Sec. 3. How financed.** To procure funds to carry out the purpose of this agreement the district may, through its board of directors, borrow money and issue bonds and notes therefor to an indebtedness not to exceed \$4,000,000. 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.

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.

All bonds and notes issued by said district shall be signed by the treasurer and countersigned by the president of the district, and if coupon bonds be issued, each coupon shall be attested by the facsimile signatures of the president and treasurer printed thereon. Said bonds and notes shall be legal obligations of said district, which is hereby declared to be a quasi-municipal corporation within the meaning of the Revised Statutes, Title 30, section 5053, and all the provisions of said section shall be applicable thereto. The said bonds and notes shall be legal investments for savings banks.

**Sec. 4. Sinking fund; refunding bonds.** In case any bonds or notes at any time issued are made to run for a period of years; as distinguished from serial maturity, the directors shall establish a sinking fund for such bonds or notes for the purpose of redeeming the same when they become due. The amount to be paid annually into such sinking fund shall not be less than 4% of the total principal amount of such bonds or notes originally issued. In addition to such annual sinking fund payment, the directors shall have authority from time to time to add to any such sinking fund any funds of the district not required for other purposes. Funds in any sinking fund may be deposited in any national bank, savings bank or trust company within the State or may be invested in whole or in part in any bonds of the United States, of the State



for the purpose of procuring funds for the following purposes, viz: (Insert brief description of purpose for which bonds are to be sold)?

If in favor of bond issue, make a cross (X) or check mark (✓) in this square YES ☐

If opposed to the bond issue, make a cross (X) or check mark (✓) in this square NO ☐

If a majority of the qualified voters voting at such meeting approve the issue of said bonds, the vote of the directors authorizing said bonds shall become effective; if not so approved, said vote shall be null and void. The voters qualified to vote at said special meeting shall be determined by use of the district voting list.

*Registration Clerk*

Sec. 5. District voting list. The board of directors of the district shall appoint a resident of said district to make and keep a voting list of all residents in the district eligible to vote. This person shall be known as the registration clerk. The registration clerk shall compile his voting list from the voting list of all municipalities lying within the district. At least 2 days before any meeting at which the inhabitants of the district are called upon to vote, the registration clerk shall bring this voting list up to date by comparing his list with those voting lists found in the towns and plantations of the district by making such additions and deletions as he finds necessary. No additions or deletions shall be made in the 2-day period prior to said meeting.

*Temporary Loans*  
*↓*  
*Amended*  
*368-2*

Sec. 6. Authority to issue temporary notes in anticipation of taxes. 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 issue 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 the year shall be included in the following year's budget as an expenditure and an amount sufficient to pay said notes shall be assessed and collected as provided in section 9. Notwithstanding any provision in section 9 to the contrary, said amount shall not be reduced. 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 year of operation as a Hospital Administrative District, 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 but said notes shall not exceed in the aggregate, the total amount of the accounts receivable of the district and shall not be issued to exceed a period of one year.

Sec. 7. Agreements for financial assistance authorized. Said district is authorized, by vote of at least a majority of all the directors, to enter into an agreement with the State or Federal Government or any agency thereof or of any corporation or board authorized by the Federal Government or the State of Maine to loan money to or to otherwise assist in the financing of such projects as the district is authorized to finance by the issue of bonds as may be necessary or desirable to accomplish such purposes. The right to enter into such agreement shall be subject to the right of referendum reserved to

the voters in section 4-A, if the district incurs liability under any such agreement, and the provisions of sections 4-A and 10 shall apply so far as apt to a special meeting called and held for the purpose of such referendum.

**Sec. 8. Hospital rates; sinking fund.** The board of directors shall require all persons hospitalized in any hospital or hospitals 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 care. The directors may set rates that are lower for inhabitants of the district than for those hospitalized persons who reside outside the district. Such rates shall be so established, subject to other provisions of this Act, as to provide revenue for the following purposes:

1. **Expenses.** To pay the current expenses of operating and maintaining the hospital owned by said district and to provide for any necessary equipment or facilities and for additions or renewals of same. The directors, in their discretion, may establish depreciation reserves as well.

2. **Interest.** To provide for the payment of the interest on the indebtedness created or assumed by the district.

3. **Principal.** To provide each year a sum equal to pay the principal payable in such year on any outstanding obligations issued by the district or to pay the principal obligations payable in such year under any contract entered into pursuant to section 7.

4. **Surplus.** If any surplus remains at the end of the year, it may be transferred to an account for the purpose of paying off the principal or interest on any outstanding obligation or it may be set aside in a surplus account.

**Sec. 9. Annual reports and budget; levy of taxes.** The fiscal year of the district shall be the calendar year. At the close of the fiscal year and not later than January 31st, the directors shall annually make a report of their doings, showing the financial condition of the district and other matters pertaining to the district, as shall show the inhabitants of the district how said directors are fulfilling the duties and obligations of their respective trusts. The report shall also include the amount of income from patients and other sources during that fiscal year and also the sum required each year to meet the bonds or notes falling due and what further sum is necessary to meet the interest on said bonds or notes or other obligations of the district and all other expenses necessary for the operation of the district, including temporary loans. Copies of said report shall be filed with the municipal officers of each town and plantation within the district and may be distributed to the voters of the district by the respective towns and plantations in the same manner as is provided for town reports. The cost of printing such reports shall be included in the operating budget of the district.

To the extent that the directors may decide that the district cannot operate within its income according to the hospital rates set by it, the directors shall determine what sum of money should be raised by taxation for (a) payment of principal payable in such year on outstanding bonds or notes or other obligations of the district; (b) payment of interest on the indebtedness incurred or assumed by the district; and (c) other specified expenses of the district, and, if the sum to be raised by taxation exceeds the total of (a) and (b), before the first day of March of each year the directors shall hold a district budget meeting. At this meeting the budget shall be thoroughly explained and the voters of the district shall be given an opportunity to be heard. If a budget is presented in any given year, it shall be deemed approved except to the extent that it shall have been disapproved by the voters of the district at the district budget meeting. The voters of the district shall have the right to disapprove all or any part of the budget presented by the board of directors, except provision for the payment of interest on or the principal of notes or bonds or other obligations of the district. The amount over and above the estimated income of the district required to meet the expenses in the approved budget and the sums included in any budget for the payment

of interest on or the principal of notes or bonds or other obligations of the district, shall be apportioned to the participating towns and plantations, in the same ratio that each participating town's or plantation's latest State valuation is to the total State valuation of all participating towns and plantations. The directors shall thereupon issue their warrants in substantially the same form as the warrant of the Treasurer of State for taxes, to the assessors of each participating town and plantation, requiring them to assess upon the taxable polls and estates in said town or plantation the amount as approved and to commit the assessment to the constable or collector of said town or plantation, who shall have all authority and power to collect said taxes as is in him vested by law to collect State, county and municipal taxes. Any participating town or plantation may use the proceeds from gifts or trust funds allocated for hospital or medical purposes to reduce the actual amount of assessment to the local taxpayers. In the year in which the tax is so levied, the treasurer of each municipality shall pay the amount of the tax in 2 equal installments to the treasurer of the district. The first installment shall be paid on or before August 15th and the second installment on or before December 15th. In case of the failure of the treasurer of any participating town or plantation to pay any installment or part thereof on or before the date set forth above in the year in which the said tax is levied, the treasurer of the district shall issue his warrant for the amount of said tax or so much thereof as shall then remain unpaid to the county sheriff, requiring him to levy by distress and sale on the real and personal property of any of the residents of said district living in the town or plantation where such default takes place, and the sheriff or any of his deputies shall execute said warrant, except as otherwise provided. The same authority as is vested in county officials for the collection of county taxes under the Revised Statutes is vested in the directors of said district in relation to the collection of taxes within such participating towns and plantations.

**Sec. 10. District budget meeting.** When a district budget meeting is called to approve the hospital budget as prepared by the directors, the directors shall cause such a meeting to be held as follows:

1. Each district meeting shall be called by a warrant. The warrant shall be signed by a majority of the directors.
2. Form of warrant. The warrant calling for the district meeting shall be as follows:
  - A. It shall specify the time and place of the meeting.
  - B. It shall set forth the proposed hospital budget in a manner to be decided by the directors, and no other business may be acted upon.
  - C. It shall be directed to any resident of the district by name, ordering him to notify the voters within said district to assemble at the time and place appointed.
  - D. An attested copy of the warrant shall be posted by the person to whom it is directed in some conspicuous public place in each of the towns and plantations within the district, at least 7 days before the meeting.
  - E. The person who gives notice of the meeting shall make his return on the warrant stating the manner of notice in each municipality and the time when it was given.
3. Budget meetings. The following provisions apply to the budget meeting:
  - A. Each person whose name appears on the voting list in each of the municipalities of the district may attend and vote at a district budget meeting.

B. The chairman of the board of directors shall open the meeting by calling for the election of a moderator, receiving votes for a moderator and swearing in the moderator.

C. As soon as he has been elected and sworn, the moderator shall preside at the meeting and he shall have all the powers granted to the moderator of a town or plantation meeting under the Maine Revised Statutes.

D. The secretary of the board of directors shall record accurately all the votes of the district meeting.

E. A majority vote of the legal voters present and voting shall be determinative of any vote or motion placed before said district meeting.

**Sec. 11. Dissolution.** The district may be dissolved only if all member towns and plantations agree to dissolve it by vote at legally constituted town or plantation meetings in said such towns or plantations. If the hospital district has any outstanding indebtedness, it may not be dissolved.

In the event of dissolution of the hospital district, all property, real, personal or mixed, shall be marshaled and converted into cash in a manner to be determined by a majority vote of the board of directors and distribution shall then be made among the respective towns and plantations in proportion to their state valuations as herein set forth in this chapter.

**Sec. 12. Other towns may join.** Towns and plantations not now belonging to, or not now a part of, said district as enumerated in section 1, may be included within the district provided that the town or plantation seeking to join votes by a majority vote at a meeting legally called and held, to join said district and the voters of the district by majority vote at a district meeting called and held for that purpose shall vote to authorize the addition of the requesting town or plantation. The provisions of Section 10, insofar as apt, shall apply to any such district meeting. Said town or plantation must assume a proportionate share of any outstanding indebtedness of the district then existing.

**Sec. 13. Acceptance subject to referendum.** This Act shall take effect only for the purpose of permitting its submission to the legal voters of the towns and plantations enumerated in section 1 hereof at regular or special meetings called and held for that purpose before January 1, 1975. Such town and plantation meetings shall be called, advertised and conducted according to the law relating to municipal elections; provided that the registrars of voters shall not be required to prepare, nor the clerks to post, new lists of voters, and for the purpose of registration of voters said registrars of voters shall be in session on the secular day next preceding said regular or special meetings.

The municipal clerks shall reduce the subject matter of this Act to the following question: "Shall the Act Creating Hospital Administrative District No. 4, passed by the 106th Legislature, be accepted?" The voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same.

This Act shall take effect for all the purposes hereof immediately upon acceptance by any 4 of the towns and plantations enumerated in section 1 hereof, provided that the towns so voting approval shall include any 2 of the following, namely: Guilford, Dover-Foxcroft, Milo or Dexter; but only if the total number of votes cast for and against the acceptance of this Act at each of said town or plantation meetings so accepting equaled or exceeded 15% of the total votes for all candidates for Governor cast in said town or plantation at the next preceding gubernatorial election, but failure of approval by the necessary percentage of voters at any such meetings shall not prevent a subsequent meeting or meetings to be held for said purpose on or before



January 1, 1975. The result of the vote shall be declared by the municipal officers of the towns or plantations and due certificate thereof shall be filed by the town or plantation clerks with the Secretary of State.

If this Act takes effect by the acceptance as outlined in the preceding paragraph and one or more of the other towns or plantations fails to accept the same, the district shall not include the territory and inhabitants of such other town or plantation and such town or plantation shall have no right to be represented by a director on the board nor be entitled to the benefits hereof. It shall, however, have all the rights as though it had originally accepted this Act, if it does so accept this Act before January 1, 1975.

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

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IN HOUSE OF REPRESENTATIVES,.....1973

Read twice and passed to be enacted.

.....*Speaker*

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IN SENATE,.....1973

Read twice and passed to be enacted.

.....*President*

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Approved.....1973

.....*Governor*

# STATE OF MAINE

APPROVED CHAPTER  
JAN 24 '74 173  
BY GOVERNOR P. & S. LAW

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-FOUR

H. P. 1735 — L. D. 2181

**AN ACT Relating to Number of Directors of 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, the Legislature, by chapter 76 of the private and special laws of 1973 established enabling legislation for the creation of a hospital administrative district in Piscataquis, Somerset and Penobscot Counties; and

Whereas, this enabling legislation will shortly be presented for adoption to the voters of the towns and plantations mentioned therein; and

Whereas, a regional hospital is vitally necessary at the earliest possible time to service the needs of the area; 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:*

P. & S. L., 1973, c. 76, § 2, amended. The first sentence of section 2 of chapter 76 of the private and special laws of 1973 is amended to read as follows:

The district shall be governed by a board of directors, composed of one member from each town or plantation, except that the Towns of Dexter and Dover-Foxcroft shall each have 3 directors and the Towns of Guilford and Milo shall each have 2 directors, which members shall be elected by popular vote at the annual meeting in each such town or plantation.

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

IN HOUSE OF REPRESENTATIVES,.....1974

Read twice and passed to be enacted.

.....*Speaker*

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IN SENATE,.....1974

Read twice and passed to be enacted.

.....*President*

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Approved.....1974

.....*Governor*

Approved

May  
1975

Chapter  
47

P & S LAW

# STATE OF MAINE by GOVERNOR

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-FIVE

H. P. 933 — L. D. 1213

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 re-

newed 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.

IN HOUSE OF REPRESENTATIVES,.....May 5.....1975

Read twice and passed to be enacted.

.....*John C. Martin*.....Speaker

IN SENATE,.....MAY 6.....1975

Read twice and passed to be enacted.

.....*J. Muraw*.....President

Approved.....5/9/.....1975

.....*James B. Lofley*.....Governor

4139

CHAP. 92

PRIVATE AND SPECIAL LAWS, SECOND REGULAR SESSION—1983

Whereas, the district is expected to let a contract in April for a 60-day period; and

Whereas, the district is trying to avoid the high cost of temporary financing; 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:

P&SL 1923, c. 98, §13, 3rd sentence from the end, as repealed and replaced by P&SL 1955, c. 182, §5, is repealed.

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

Effective April 13, 1984.

## CHAPTER 92

H.P. 1778 - L.D. 2356

AN ACT to Authorize Hospital  
Administrative District No. 1 and Hospital  
Administrative District No. 4 to Engage in  
a Joint Venture for the Purpose of Owning  
and Operating a Regional Mobile Computerized  
Axial Tomography Scan Unit.

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

Sec. 1. P&SL 1973, c. 76, §1, as amended by P&SL 1975, c. 47, §1, is further amended by adding at the end a new paragraph to read:

For the limited purpose of owning and operating a regional mobile computerized axial tomography scan unit, the district may establish, subject to such regulatory approval as may be required by law, with others, within or outside the district, affiliated medical or health-related organizations or entities



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on a for-profit or not-for-profit basis. The district may, for this limited purpose, subject to such regulatory approval as may be required by law, enter into agreements or other transactions with any person, including construction agreements, purchase or acquisition agreements, partnership agreements, including limited partnership agreements, joint ventures, participation agreements or agreements with leasing corporations or other financial intermediaries.

Sec. 2. P&SL 1957, c. 58, §1, as amended by PL 1971, c. 544, §144, is further amended by adding at the end a new paragraph to read:

For the limited purpose of owning and operating a regional mobile computerized axial tomography scan unit, the district may establish, subject to such regulatory approval as may be required by law, with others, within or outside the district, affiliated medical or health-related organizations or entities on a for-profit or not-for-profit basis. The district may, for this limited purpose, subject to such regulatory approval as may be required by law, enter into agreements or other transactions with any person, including construction agreements, purchase or acquisition agreements, partnership agreements, including limited partnership agreements, joint ventures, participation agreements or agreements with leasing corporations or other financial intermediaries. The organization and existence of, and the district's participation in, Katahdin Shared Services, Inc., is hereby ratified and confirmed.

Effective July 25, 1984.

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**CHAPTER 93**

S.P. 914 - L.D. 2461

AN ACT Making Authorizations and  
Allocations Relating to Federal Block  
Grants for the Expenditures of State  
Government for the Fiscal Year Ending  
June 30, 1984.

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

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BY GOVERNOR

P &amp; S LAW

## STATE OF MAINE

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

H.P. 1419 - L.D. 1930

AN ACT to Amend Certain Powers of Hospital  
Administrative District No. 4.

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

Whereas, Hospital Administrative District No. 4 was created by law to establish and operate a hospital within a certain geographic area of this State and any amendment to the charter of that hospital district must be made by an Act of the Legislature; and

Whereas, to continue a high quality of health service to district residents, this charter must be amended to allow Hospital Administrative District No. 4 to enter into joint health care ventures with medical professionals; and

Whereas, such authorization will give needed flexibility to the district to maintain the highest quality of service at a reasonable cost; 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, as amended by P&SL 1983, c. 92, §1, is repealed and the following enacted in its place:

Sec. 1. Incorporation; purposes. The inhabitants of the territory within the Towns of Monson, Abbot, Parkman, Willimantic, Guilford, Sangerville, Dover-Foxcroft, Sebec and Atkinson and the Plantation of Barnard all in the County of Piscataquis, the Town of Cambridge in the County of Somerset, and the Towns of Dexter and Bradford in the County of Penobscot, or any combination of the towns and plantations, are constituted and confirmed a body politic and corporate to be known as "Hospital Administrative District No. 4" in order to provide for the health, welfare and public benefit of the inhabitants of the district. The hospital district shall 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, freestanding satellite facilities and facilities designed for utilization as offices by physicians, to be located in a place or places within the district for the care of the inhabitants of the district and those persons outside the district who may require medical care, for the purposes of maintaining and operating a hospital system, including, but not limited to, acute care facilities, extended care facilities, freestanding satellite facilities and facilities designed for utilization as offices by physicians, and generally providing for the health and medical needs of the inhabitants of the district. Without limiting the generality of this section and subject to pertinent provisions of the Maine Health Care Finance Commission's laws and rules, the district may also establish affiliated organizations, either alone or with others and within the district, including medical centers, health care centers, nursing centers, laboratories, clinics and other medical, surgical or dental facilities, facilities to provide health-related shared services and such other organizations or entities, on a profit or nonprofit basis, as the district may deem necessary or desirable from time to time, in order to provide, alone or with others, for the health and medical needs of the inhabitants of the district. The district may enter into joint ventures with providers or professionals offer-

ing health care services within the district for the purpose of offering health care services to persons within the district.

In effectuating any of the purposes of this section or any of the other purposes permitted to be engaged in by the district, the district may, subject to the provisions of this Act, as amended and supplemented from time to time, acquire real or personal property or any interest therein, on either a temporary or long-term basis by gift, purchase, transfer, foreclosure, lease or otherwise, including rights or easements; hold, manage, operate, sell, assign, lease, encumber, mortgage or otherwise dispose of any real or personal property or any interest therein, or mortgage interest owned by it under its control, custody or in its possession and release or relinquish any right, title, claim, lien, interest, easement or demand however acquired; apply for and accept from any source grants, loans, advances and contributions of money, property, labor or other things of value, to be held, used and applied for permitted purposes; lease or rent any lands, buildings, structures, facilities or equipment from private parties to effectuate the purposes permitted to be engaged in by the district, including construction agreements, purchase or acquisition agreements, partnership agreements, including limited partnership agreements, joint ventures, participation agreements or agreements with leasing corporations or other financial intermediaries.

Sec. 2. P&SL 1973, c. 76, §2, 2nd ¶, 2nd sentence, as amended by P&SL 1975, c. 47, §2, is repealed and the following enacted in its place:

They shall be responsible for providing, in whole or in part, physical facilities for a hospital system and, where necessary or desirable, physical facilities for affiliated organizations within the district, equipped and staffed to meet needed health care services for the inhabitants of the district.

Sec. 3. P&SL 1973, c. 76, §8, sub-§4 is repealed and the following enacted in its place:

4. Surplus. If any surplus remains at the end

of the year, it may be transferred to an account for the purposes of paying the principal or interest on any outstanding obligation or it may be set aside in a surplus account for use by the district for any activity in which the district may engage.

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

APPROVED

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BY GOVERNOR

CHAPTER

14

P & S LAW

STATE OF MAINE

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY-FIVE

S.P. 184 - L.D. 493

An Act to Amend Certain Powers of Hospital Administrative  
District No. 4

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

Whereas, Hospital Administrative District No. 4 was created by law to provide health care services and any amendment to the charter of the hospital district must be made by an Act of the Legislature; and

Whereas, to continue to provide a high quality of health service in the prevailing health care environment, the district's charter must be amended to allow it to extend its services and facilities to any persons and areas that it may competitively serve; and

Whereas, such authorization will enable the district to maintain a high quality of health service at a reasonable and competitive cost in the market; 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, as repealed and replaced by P&SL 1987, c. 85, §1, is amended to read:

Sec. 1. Incorporation; purposes. The inhabitants of the territory within the Towns of Monson, Abbot, Parkman, Willimantic, Guilford, Sangerville, Dover-Foxcroft, Sebec and Atkinson and the Plantation of Barnard all in the County of Piscataquis, the Town of Cambridge in the County of Somerset, and the Towns of Dexter and Bradford in the County of Penobscot, or any combination of the towns and plantations, are constituted and confirmed a body politic and corporate to be known as "Hospital Administrative District No. 4" in order to provide for the health, welfare and public benefit of the inhabitants of the district and any persons outside the district who may seek or require medical care. The hospital district shall 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, freestanding satellite facilities and facilities designed for utilization as offices by physicians, to be located in a place or places either within the district or elsewhere for the care of the inhabitants of the district and those persons outside the district who may seek or require medical care, for the purposes of maintaining and operating a hospital system, including, but not limited to, acute care facilities, extended care facilities, freestanding satellite facilities and facilities designed for utilization as offices by physicians, and generally providing for the health and medical needs of the inhabitants of the district and any persons outside the district who may seek or require medical care. Without limiting the generality of this section and subject to pertinent provisions of the Maine Health Care Finance Commission's laws and rules, the district may also establish affiliated organizations, either alone or with others and either within the district or elsewhere, including medical centers, health care centers, nursing centers, laboratories, clinics and other medical, surgical or dental facilities, facilities to provide health-related shared services and such other organizations or entities, on a profit or nonprofit basis, as the district may deem necessary or desirable from time to time, in order to provide, alone or with others, for the health and medical needs of the inhabitants of the district and any persons outside the district who may seek or require medical care. The district may enter into joint ventures with providers or professionals offering health care services either within the district or elsewhere for the purpose of offering health care services to persons either within the district or elsewhere.

In effectuating any of the purposes of this section or any of the other purposes permitted to be engaged in by the district, the district may, subject to the provisions of this Act, as amended and supplemented from time to time, acquire real or personal property or any interest therein either within the district or elsewhere, on either a temporary or long-term basis

by gift, purchase, transfer, foreclosure, lease or otherwise, including rights or easements; hold, manage, operate, sell, assign, lease, encumber, mortgage or otherwise dispose of any real or personal property or any interest therein, or mortgage interest owned by it under its control, custody or in its possession and release or relinquish any right, title, claim, lien, interest, easement or demand however acquired; apply for and accept from any source grants, loans, advances and contributions of money, property, labor or other things of value, to be held, used and applied for permitted purposes; lease or rent any lands, buildings, structures, facilities or equipment from private parties to effectuate the purposes permitted to be engaged in by the district, including construction agreements, purchase or acquisition agreements, partnership agreements, including limited partnership agreements, joint ventures, participation agreements or agreements with leasing corporations or other financial intermediaries.

Sec. 2. P&SL 1973, c. 76, §2, 2nd sentence, as repealed and replaced by P&SL 1987, c. 85, §2, is amended to read:

They shall be responsible for providing, in whole or in part, physical facilities for a hospital system and, where necessary or desirable, physical facilities for affiliated organizations either within the district or elsewhere, equipped and staffed to meet needed health care services for the inhabitants of the district and any persons outside the district who may seek or require medical care.

Sec. 3. P&SL 1973, c. 76, §13, last ¶ is amended to read:

If this Act takes effect by the acceptance as outlined in the preceding paragraph and one or more of the other towns or plantations fails to accept the same, the district shall not include the territory and inhabitants of such other town or plantation and such town or plantation shall have no right to be represented by a director on the board ~~nor be entitled to the benefits--hereof~~. It shall, however, have all the rights as though it had originally accepted this Act, if it does so accept this Act before January 1, 1975.

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



APPROVED

CHAPTER

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STATE OF MAINE

BY GOVERNOR

P & S LAW

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IN THE YEAR OF OUR LORD  
TWO THOUSAND

—  
S.P. 997 - L.D. 2559

**An Act to Amend the Charter of Hospital Administrative  
District No. 4**

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

**Sec. 1. P&SL 1973, c. 76, §3, first sentence, as amended by P&SL 1975, c. 47, §3, is repealed and the following enacted in its place:**

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 2.0% of the total current state valuation of all towns and plantations that are members of the district.