

LEGISLATIVE BILL 441

Approved by the Governor March 27, 1979

Introduced by Lewis, 45

AN ACT to amend section 23-343.120, Reissue Revised Statutes of Nebraska, 1943, relating to hospital authorities; to provide an additional power to engage in hospital financing as prescribed; to repeal the original section; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 23-343.120, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

23-343.120. (1) The State of Nebraska covenants and agrees with the holders of bonds issued by an authority that the state will not limit or alter the rights vested by sections 23-343.74 to 23-343.120 in an authority to acquire, maintain, construct, reconstruct, and operate hospitals; to establish and collect such rates, rentals, charges, and fees as may be convenient or necessary to produce sufficient revenue to meet the expense of maintenance and operation of such hospitals and to fulfill the terms of any agreements made with holders of bonds of the authority. The state will also not in any way impair the rights and remedies of the bondholders until the bonds together with interest thereon and with interest on any unpaid installments of interest, and all costs and expenses in connection with any action or proceedings by or on behalf of the bondholders, are fully met and discharged. The provisions of sections 23-343.74 to 23-343.120 and of the proceedings authorizing bonds thereby shall constitute a contract with the holders of said bonds.

(2) Notwithstanding any other provision of the Hospital Authorities Act to the contrary, in addition to any other powers which an authority has, an authority may engage in the financing of any hospital or the refinancing of any indebtedness incurred to finance a hospital, whether or not incurred prior to or after the effective date of this act, by issuing its bonds pursuant to a plan of financing involving an acquisition or commitment to acquire or use any federally-guaranteed security or securities and may enter into any agreement which it deems necessary or desirable in order to effectuate any such plan. For the purposes of this section, federally-guaranteed security shall mean any direct obligation of the United States of America or any

obligation the payment of principal of and interest on which are fully or partially guaranteed by the United States of America, whether or not secured by other collateral, and shall include, without limitation, any security guaranteed by the Government National Mortgage Association under section 306 (g) of the National Housing Act, 12 U.S.C., section 1721 (g). The provisions of section 23-343.113, Reissue Revised Statutes of Nebraska, 1943, shall not apply in the case of any such financing or refinancing.

Sec. 2. That original section 23-343.120, Reissue Revised Statutes of Nebraska, 1943, is repealed.

Sec. 3. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.