

non-profit corporation organized for the purpose of constructing or acquiring such a hospital. The term "hospital" also includes non-profit corporations or institutions engaged solely in providing one or more hospital supporting services. HOSPITAL SHALL NOT MEAN ANY FACILITY SUCH AS DESCRIBED HEREIN WHICH IS OWNED AND OPERATED BY THE STATE.

(i) "Participating Hospital" means a hospital which, pursuant to the provisions of this Act, shall undertake the financing and construction or acquisition of a project or shall undertake the refunding or refinancing of obligations or of a mortgage or of advances as provided in and permitted by this Act.

4. Maryland Health and Higher Educational Facilities Authority.

(a) There is hereby created a body politic and corporate to be known as the "Maryland Health and Higher Educational Facilities Authority". Said Authority is constituted a public instrumentality and the exercise by the Authority of the powers conferred by this Act shall be deemed held to be the performance of an essential public function.

(b) The Authority shall consist of nine (9) members, one of whom shall be the Treasurer of the State of Maryland, ex officio, and eight of whom shall be residents of the State appointed by the Governor. Of the members first appointed, one shall serve for a term ending one year from July 1, 1970, one shall serve for a term ending two years from July 1, 1970, two shall serve for terms ending three years from July 1, 1970, two shall serve for terms ending four years from July 1, 1970, and two shall serve for terms ending five years from July 1, 1970. Their successors shall serve for terms of five years each. Members shall continue in office until their successors have been appointed and qualified. The Governor shall fill any vacancy for the unexpired term. A member of the Authority shall be eligible for reappointment. The Governor may remove any of the appointed members serving at any time and reappoint a person to stand in the place of the member so removed to serve for the balance of the term of the member who had been removed. Each member of the Authority, before entering upon his duties, shall take an oath to administer the duties of his office faithfully and impartially, and such oath shall be filed in the office of the Secretary of State.

(c) The Governor shall annually designate one of the members of the Authority as chairman and one as a vice-chairman.

(d) The Authority shall appoint, subject to the approval of the Governor, an executive director. The Authority may also appoint, subject to the approval of the Governor, a general counsel, either on a full time or a part time basis as the Authority may determine. Neither the executive director nor the general counsel shall be members of the Authority. Both the executive director and the general counsel shall serve at the pleasure of the Authority, and shall receive such compensation as determined by the Authority.

(e) The executive director shall keep a record of the proceedings of the Authority and shall be custodian of all books, documents and papers filed with the Authority and of the minute book or journal of the Authority and of its official seal. He may cause copies to be