

Richmond Eye and Ear Hospital Authority

Created: 1970 Acts of Assembly, c. 742.

Amended: 1974 Acts of Assembly, c. 64
Amended (§ 3)
1977 Acts of Assembly, c. 229
Amended (§§ 2, 4, 6)
2006 Acts of Assembly, c. 658
Amended (§§ 2, 3, 4).

§ 1. This act shall be known as the "Richmond Eye and Ear Hospital Authority Act." (1970, c. 742)

§ 2. Definitions.--The following terms, wherever used or referred to in this act, shall have the following respective meanings, unless a different meaning clearly appears from the context:

(a) "Authority" means the Richmond Eye and Ear Hospital Authority created by § 3 of this act.

(b) "Board" means the Board of Directors of the Authority appointed in accordance with the provisions of this act.

(c) "Government" includes the State and Federal Government and any subdivision, agency or instrumentality, corporate or otherwise, of either of them, and any county, city, or town or agency or instrumentality, corporate or otherwise, of any of them.

(d) "State" means the Commonwealth of Virginia.

(e) "Federal Government" includes the United States of America, or any agency, instrumentality, corporate or otherwise, of the United States of America.

(f) "Hospital project" shall mean any and all medical facilities and approaches thereto and appurtenances thereof. Medical facilities shall include any and all facilities suitable for providing adequate hospital and medical care and shall include any and all structures, buildings, improvements, additions, extensions, replacements, appurtenances, lands, rights in lands, franchises, machinery, equipment, furnishings, landscaping, approaches, roadways and other facilities necessary or desirable in connection therewith or incidental thereto, including, without limitation, hospitals, nursing homes, assisted living facilities, continuing care facilities, self-care facilities, medical office facilities, clinics, out-patient surgical centers, alcohol, substance abuse and drug treatment centers, laboratories, research facilities, sanitariums, hospices, facilities for the residence or care of the elderly, the handicapped or the chronically ill, residential facilities for nurses, interns, and physicians and any other kind of facility for the diagnosis, treatment, rehabilitation, prevention or palliation of any human illness, injury, disorder, or disability, together with all related and supporting facilities and equipment necessary and desirable in connection therewith or incidental thereto, or equipment alone, including, without limitation, kitchen, laundry, laboratory, pharmaceutical, administrative, communications, computer and recreational facilities and equipment, storage space, mobile medical

facilities, vehicles, and other equipment necessary or desirable for the transportation of medical equipment or the transportation of patients.

(g) "Parking facility project" shall mean and shall include lots, garages, parking terminals, or other facilities or structures incidental thereto for the off-street parking of motor vehicles open to public use or to be used in connection with a hospital project.

(h) "Project" shall include "hospital project" and "parking facility project" or either of them individually.

(i) "Bonds" shall mean any bonds, interim certificates, notes, debentures, or other obligations of the Authority issued pursuant to this act.

(j) "Trust indenture" shall mean any instrument by and between the Authority and a corporate trustee or trustees providing for the issuance of bonds and, in the discretion of the Authority, mortgaging a project or projects or other property of the Authority; pledging and assigning rates, fees and other revenues of any project or projects and any other rights, properties or interests of the Authority.

(k) "Contract" means any agreement of the Authority with or for the benefit of any obligee whether contained in a resolution, trust indenture, mortgage, lease, bond or other instrument.

(l) "Real property" includes lands under water, structures, and any and all easements, franchises and incorporeal hereditaments and every estate and right therein, legal and equitable, including terms for years and liens by way of judgment, mortgage or otherwise.

(m) "Obligee of the Authority" or "obligee" includes any bondholder, trustee or trustees for any bondholders, any lessor demising property to the Authority used in connection with any project or any assignee or assignees of such a party to any contract with the Authority.

(n) The word "cost" as applied to any project shall include the cost of construction, landscaping and conservation, the costs of acquisition of all land, rights of way, property, rights, easements and interests acquired by the Authority for such construction, landscaping and conservation, the cost of demolishing or removing any buildings or structures on land so acquired, including the cost of acquiring any lands to which such buildings or structures may be moved, the cost of all machinery, equipment and furnishings, financing charges, interest prior to and during construction and for a period of time after completion of construction as deemed advisable by the Authority, cost of engineering and legal services, plans, specifications, surveys, estimates of cost and of revenues, administrative expenses, the initial working capital, debt service reservations and such other expenses as may be necessary or incident to the construction of any project, the financing of such construction and the placing of such project in operation. (1970, c. 742; 1977, c. 229; 2006, c. 658)

§ 3. Creation of the Authority.-There is hereby created a political subdivision and public body corporate and politic of the Commonwealth of Virginia to be known as the "Richmond Eye and Ear Hospital Authority" (hereinafter referred to as the "Authority"), to be governed by a Board of Directors consisting of nine members appointed by the Governor from a list of nominations submitted by the Board of Directors of the Richmond Eye Hospital. Three of such members shall be for two years, three for four year terms, and three for six year terms. After the expiration of the initial terms, appointments shall be made for terms of six years and members may be reappointed.

Vacancies in the membership of the Board shall be filled by appointment for the unexpired portion of the term. The Board of Directors of the Richmond Eye and Ear Healthcare Alliance shall nominate two persons for each appointment. The Board so appointed shall enter upon the performance of its duties and shall initially and annually thereafter select one of its members as chairman and another as vice-chairman, and shall also elect annually a secretary or secretary-treasurer who need not be a member of the Board. The chairman, or in his absence vice-chairman, shall preside at all meetings of the Board, and in the absence of both the chairman and vice-chairman, the Board shall elect a chairman pro tempore who shall preside at such meetings. A majority of the directors then in office shall constitute a quorum, and all action by the Board shall require the affirmative vote of a majority of the directors present and voting. The members of the Board shall be entitled to reimbursement for expenses incurred in attendance upon meetings of the Board or while otherwise engaged in the discharge of their duties, and each member shall also be paid the sum of \$25.00 per day for each day or portion thereof during which he is engaged in the performance of his duties. Such expenses and compensation shall be paid out of the treasury of the Authority in such manner as shall be prescribed by the Authority. (1970, c. 742; 1974, c. 64; 2006, c. 658)

§ 4. Powers of the Authority.--That in order to prevent the spread of disease which constitutes a menace to the health, safety, morals and welfare of the State and impairs economic values; and in order that adequate hospital and medical facilities may be provided for the foregoing purpose and for the care of the public health and public welfare; and in order to alleviate traffic congestion, to promote the flow of commerce and to promote safety through the creation of off-street parking facilities; the Authority created by this act shall be deemed to be a public instrumentality exercising public and essential governmental functions to provide for the public health and welfare and said Authority is hereby authorized and empowered to:

- (a) Adopt an official seal and alter the same at pleasure;
- (b) Maintain an office at such place or places as it may designate;
- (c) Sue and be sued in its own name, plead and be impleaded;
- (d) Prepare, carry out and operate hospital projects and parking facility projects;
- (e) Purchase, construct or otherwise acquire, maintain, repair and operate or cause to be repaired, maintained and operated, any project;
- (f) Sell or to lease to another, including, but not limited to, Virginia Commonwealth University and the Richmond Eye Hospital, any of the Authority's projects or other property upon terms and conditions determined by the Authority;
- (g) Fix and revise from time to time and to charge and collect rates, rentals, fees and other charges for the services and facilities furnished by the project or projects and to establish and revise from time to time regulations in respect of the use, operation and occupancy of such project or projects or a part thereof;
- (h) Make, enter into and execute all contracts, agreements and instruments necessary or incidental to the performance of its duties and the execution of its powers under this act including contracts or agreements authorized by this act with any government with respect to the construction, operation and maintenance of any project;
- (i) Employ consulting engineers, attorneys, accountants, construction and financial experts, superintendents, managers, trustees, depositaries, paying agents and

such other employees and agents as may be necessary in the discretion of the Authority to construct, acquire, maintain and operate any project and to fix their compensation;

(j) Provide and operate inpatient and outpatient departments, and any other departments or clinics customarily operated in hospitals in metropolitan centers and to provide research facilities, teaching and instruction programs and schools for medical students, interns, physicians and nurses and facilities incidental thereto;

(k) Provide and maintain continuous resident physician and intern medical services; to appoint an administrator, a superintendent or matron, and necessary assistants, and any and all other employees deemed necessary or advisable and fix their compensation, and to remove such appointees;

(l) Adopt bylaws for the conduct of its business and to adopt necessary rules and regulations for the government of the Authority and its employees;

(m) Appoint such committees or subcommittees as it shall deem advisable, and fix their duties and responsibilities;

(n) Accept donations of money, personal property or real estate for the benefit of the Authority and take title thereto from any person, firm, corporation, society, or government;

(o) Determine and regulate the conditions under which the privilege of practicing within any hospital operated by the Authority may be available to physicians, and to promulgate reasonable rules and regulations governing the conduct of physicians and nurses while on duty in such hospital and to establish and maintain a training school for nurses;

(p) Make rules and regulations governing the admission of patients to, and the care, conduct, and treatment of patients in, the hospital; to determine whether patients presented to the hospital for treatment are subjects for charity and to fix the compensation to be paid by patients other than those unable to assist themselves; to maintain and operate isolation wards for the care and treatment of mental, contagious or other similar diseases;

(q) Act as agent for the Federal Government in connection with the acquisition, construction, operation and management of a project, or any part thereof;

(r) Arrange with any government for the furnishing, planning, replanning, installing, opening or closing of streets, roads, roadways, alleys, sidewalks, or other places or facilities, for the acquisition by such government of property, options or property rights or for the furnishing of property or services in connection with a project; to arrange with any government to the extent that it is within the scope of each of their respective functions, (1) to cause the services customarily provided by each of them to be rendered for the benefit of such Authority and (2) to provide and maintain parks and sewerage, water and other facilities adjacent to or in connection with projects and to lease or rent any of the dwellings or other accommodations or any of the lands, buildings, structures or facilities embraced in any project and to establish and revise the rents or charges therefor;

(s) Purchase, lease, obtain options upon, acquire by gift, grant, bequest, devise, or otherwise any property real or personal or any interest therein from any person, firm, corporation, city, county, town or government;

(t) Sell, exchange, transfer, or assign, any property real or personal or any interest therein to any person, firm, corporation, or government;

(u) Own, hold, clear and improve property; to insure or provide for the insurance of the property or operations of the Authority against such risks as the Authority may deem advisable;

(v) Borrow money upon its bonds, notes, debentures, or other evidences of indebtedness and to secure the same by pledges or assignments of its revenues, rights, properties and interests in the manner and to the extent hereinafter provided, in connection with any loan by a government, to agree to limitations upon the exercise of any powers conferred upon the Authority by this act. This power shall include the power to refinance all or any portion of such debt, to renegotiate the terms of all or any portion of such debt, and to retire all or any portion of such debt prior to its maturity date;

(w) Make and from time to time amend and repeal bylaws, rules and regulations not inconsistent with this act, to carry into effect the powers and purposes of the Authority;

(x) The Authority shall have power in addition to all of the other powers herein conferred upon it, to do all things necessary and convenient to carry out the powers expressly given in this act;

(y) The Authority shall have the right to acquire by eminent domain any real property, including fixtures and improvements, which it may deem necessary to carry out the purposes of this act after the adoption by it of a resolution declaring that the acquisition of the property described therein is in the public interest and necessary for public use. The Authority may exercise the power of eminent domain pursuant to the provisions of any applicable statutory provisions in force or hereafter enacted for the exercise of the power of eminent domain by cities.

Property already devoted to a public use may be acquired, provided, that no property belonging to any city, town or county or to any government or to any religious or charitable corporation may be acquired without its consent.

(z) Assist in or provide for the creation of domestic or foreign stock and nonstock corporations, limited liability companies, partnerships, limited partnerships, associations, foundations or other supporting organizations or other entities and to purchase, receive, subscribe for or otherwise acquire, own, hold, vote, use, employ, sell, mortgage, lend, pledge, or otherwise dispose of, shares of or other interests in, or obligations of, any domestic or foreign stock and nonstock corporations, limited liability companies, partnerships, limited partnerships, associations, foundations or other supporting organizations, joint ventures or other entities organized for any purpose, or direct or indirect obligations of the United States, or of any other government, state, territory, governmental district or municipality or of any other obligations of any domestic or foreign stock or nonstock corporation, limited liability company, partnership, limited partnership, association, foundation or other supporting organization, joint venture or other entity organized for any purpose or any individual. The investments of any entity wholly owned or controlled by the Authority that is an "institution," as such term is defined in § 55-268.12, shall be governed by the Uniform Prudent Management of Institutional Funds Act (§ 55-268.11 et seq.) of the Code of Virginia;

(aa) Participate in joint ventures with individuals, domestic or foreign stock and nonstock corporations, limited liability companies, partnerships, limited partnerships, associations, foundations or other supporting organizations or other entities for providing medical care or related services or other activities that the authority may undertake to the

extent that such undertakings assist the authority in carrying out the purposes and intent of this chapter;

(bb) Provide domestic or foreign stock and nonstock corporations, limited liability companies, partnerships, limited partnerships, associations, foundations or other supporting organizations, joint ventures or other entities owned in whole or in part or controlled, directly or indirectly, in whole or in part, by the authority with appropriate assistance, including making loans and providing time of employees, in carrying out any activities authorized by this chapter;

(cc) Make loans and provide other assistance to domestic or foreign stock and nonstock corporations, limited liability companies, partnerships, limited partnerships, associations, foundations or other supporting organizations, joint ventures or other entities;

(dd) Transact its business, locate its offices and control, directly or through domestic or foreign stock and nonstock corporations, limited liability companies, partnerships, limited partnerships, associations, foundations or other supporting organizations, joint ventures or other entities, facilities that will assist or aid the authority in carrying out the purposes and intent of this chapter;

(ee) Procure such insurance, participate in such insurance plans, or provide such self-insurance, or any combination thereof, as it deems necessary or convenient to carry out the purposes and provisions of this act. The purchase of insurance, participation in an insurance plan, or creation of a self-insurance plan by the Authority shall not be deemed a waiver or relinquishment of any sovereign immunity to which the Authority or its members, officers, directors, employees, or agents are otherwise entitled;

(ff) Exercise all other powers granted to nonstock corporations pursuant to § 13.1-826 of the Code of Virginia, as amended. (1970, c. 742; 1977, c. 229; 2006, c. 658)

§ 5. Security for funds deposited by the Authority.-The Authority may by resolution provide that all moneys deposited by it shall be secured:

(a) By obligations of the United States or of the State, of a market value equal at all times to the amount of such deposits;

(b) By any securities in which trustees, guardians, executors, administrators and others acting in a fiduciary capacity may legally invest funds within their control; or

(c) By an undertaking with such sureties as shall be approved by the Authority faithfully to keep and pay over upon the order of the Authority any such deposits and agreed interest thereon.

All banks and trust companies are authorized to give any such security for such deposits. (1970, c. 742)

§ 6. Authority to issue bonds.-The Authority shall have the authority to issue bonds as follows:

(a) The Authority shall have power and is hereby authorized from time to time in its discretion to issue bonds for any of its purposes, including the payment of all or any part of the cost of any project and the refunding of any bonds previously issued by it, whether or not such outstanding bonds have matured or are then subject to redemption, or any combination of such purposes. Bonds may be issued under this act notwithstanding any debt or other limitation prescribed in any statute.

(b) The principal and interest on such bonds shall be payable from such sources as the Authority may determine, including (without limiting the generality of the foregoing)

(1) its revenues generally or (2) exclusively from the revenues and receipts of a particular project or projects.

(c) No member of the Board of the Authority nor any person executing the bonds shall be liable personally on the bonds by reason of the issuance thereof.

(d) The bonds and other obligations of the Authority (and such bonds and obligations shall so state on their face) shall not be a debt of any city or municipality or of the State, and neither the State nor any such city or municipality shall be liable thereon. The bonds shall not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation of the laws of the State.

(e) The bonds of the Authority shall be authorized by its resolution and shall be issued in one or more series and shall bear such date or dates, mature at such time or times, not exceeding sixty years from their respective dates, bear interest at such rate or rates, be in such denominations (which may be made interchangeable), be in such form, either coupon or registered, carry such registration privileges, be executed in such manner, be payable in such medium of payment, at such place or places and be subject to such terms or redemption (with or without premium) as such resolution or its trust indenture may provide.

(f) The bonds may be sold at public or private sale at such price or prices as the Authority shall determine.

(g) Pending the authorization, preparation, execution or delivery of definitive bonds, the Authority may issue interim certificates, or other temporary obligations, to the purchaser of such bonds. Such interim certificates, or other temporary obligations, shall be in such form, contain such terms, conditions and provisions, bear such date or dates, and evidence such agreements, relating to their discharge or payment or the delivery of definitive bonds as the Authority may by resolution or trust indenture determine.

(h) In case any of the officers whose signatures appear on any bonds or coupons shall cease to be such officers before the delivery of such bonds, such signatures shall, nevertheless, be valid and sufficient for all purposes, the same as if they had remained in office until such delivery.

(i) The Authority shall have the power out of any funds available thereof to purchase any bonds issued by it; provided, however, that bonds payable exclusively from the revenues of a designated project or projects shall be purchased only out of any revenues derived in connection with the operation, sale or lease of such project or projects. All bonds so purchased shall be canceled. This section shall not apply to the redemption of bonds.

(j) Any provision of any law to the contrary notwithstanding, any bonds, interim certificates, or other obligations issued pursuant to this act shall be fully negotiable.

(k) In connection with the issuance of bonds or the incurring of any obligations under a lease and in order to secure the payment of such bonds or obligations, the Authority shall have power:

(1) To pledge and assign by resolution, trust indenture or other contract, all or any part of its rents, fees or revenues or other rights, properties or interests of the Authority, including without limitation rights under leases and other rights and interests obtained in connection with the sale or lease of a project or projects.

(2) To covenant to impose and maintain such schedule of fees and charges as will produce funds sufficient to pay operating costs and debt service.

(3) To covenant with respect to limitations on its right to sell, lease or otherwise dispose of any project or any part thereof, or with respect to limitations on its right to undertake additional projects.

(4) To covenant against pledging all or any part of its rents, fees and revenues to which its right then exists or the right to which may thereafter come into existence or against permitting or suffering any lien thereon.

(5) To provide for the release of rents, fees, and revenues, from any pledge and to reserve rights and powers in, or the right to dispose of, property, the rents, fees and revenues from which are subject to a pledge.

(6) To covenant as to the bonds to be issued pursuant to any resolution, trust indenture, or other instrument and as to the issuance of such bonds in escrow or otherwise, and as to the use and disposition of the proceeds thereof.

(7) To covenant as to what other, or additional debt, may be incurred by it.

(8) To provide for the terms, form, registration, exchange, execution and authentication of bonds.

(9) To provide for the replacement of lost, destroyed, or mutilated bonds.

(10) To covenant as to the use of any or all of its property, real or personal.

(11) To create or to authorize the creation of special funds in which there shall be segregated: (a) the proceeds of any loan or grant; (b) all of the rents, fees and revenues of any project or projects or parts thereof; (c) any moneys held for the payment of the costs of operation and maintenance of any such projects or as a reserve for the meeting of contingencies in the operation and maintenance thereof; (d) any moneys held for the payment of the principal and interest on its bonds or the sums due under its leases or as a reserve for such payments; and (e) any moneys held for any other reserve or contingencies; and to covenant as to the use and disposal of the moneys held in such funds.

(12) To redeem the bonds, and to covenant for their redemption and to provide the terms and conditions thereof.

(13) To covenant against extending the time for the payment of its bonds or interest thereon, directly or indirectly, by any means or in any manner.

(14) To prescribe the procedure, if any, by which the terms of any contract with bondholders may be amended or abrogated, the amount of bonds the holders of which must consent thereto and the manner in which such consent may be given.

(15) To covenant as to the maintenance of its property, the replacement thereof, the insurance to be carried thereon and the use and disposition of insurance moneys.

(16) To vest in an obligee of the Authority the right, in the event of the failure of the Authority to observe or perform any covenant on its part to be kept or performed, to cure any such default and to advance any moneys necessary for such purpose, and the moneys so advanced may be made an additional obligation of the Authority with such interest, security and priority as may be provided in any trust indenture, lease or contract of the Authority with reference thereto.

(17) To covenant and prescribe as to the events of default and terms and conditions upon which any or all of its bonds shall become or may be declared due before maturity and as to the terms and conditions upon which such declaration and its consequences may be waived.

(18) To covenant as to the rights, liabilities, powers and duties arising upon the breach by it of any covenant, condition, or obligation.

(19) To covenant to surrender possession of all or any part of any project or projects the revenues from which have been pledged for the purpose of constructing, furnishing, and equipping new buildings or additions to existing buildings as provided for in this act upon the happenings of any event of default (as defined in the contract) and to vest in an obligee the right without judicial proceeding to take possession and to use, operate, manage and control such projects or any part thereof, and to collect and receive all rents, fees and revenues arising therefrom in the same manner as the Authority itself might do and to dispose of the moneys collected in accordance with the agreement of the Authority with such obligee.

(20) To vest in a trustee or trustees the right to enforce any covenant made to secure, to pay, or in relation to the bonds, to provide for the powers and duties of such trustee or trustees, to limit liabilities thereof and to provide the terms and conditions upon which the trustee or trustees or the holders of bonds or any proportion of them may enforce any such covenant.

(21) To make covenants other than and in addition to the covenants herein expressly authorized, of like or different character.

(22) To execute all instruments necessary or convenient in the exercise of the powers herein granted or in the performance of its covenants or duties, which may contain such covenants and provisions, in addition to those above specified, as the government of any purchaser of the bonds of the Authority may reasonably require.

(23) To make such covenants and to do any and all such acts and things as may be necessary or convenient or desirable in order to secure its bonds, or in the absolute discretion of the Authority tend to make the bonds more marketable; notwithstanding that such covenants, acts or things may not be enumerated herein; it being the intention hereof to give the Authority power to do all things in the issuance of bonds, in the provisions for their security that are not inconsistent with the Constitution of the State and no consent or approval of any judge or court shall be required thereof.

(24) To provide for protecting and enforcing the rights and remedies of bondholders in such manner as may be reasonable and proper and not in violation of law, including particularly the appointment of a receiver for any project or other property which has been mortgaged or assigned, or the revenue from which have been pledged, by the Authority.

(1) Bonds issued by the Authority under the provisions of this article are hereby made securities in which all public officers and public bodies of the Commonwealth and its political subdivisions, all insurance companies, trust companies, banks, banking associations, investment companies, executors, administrators, trustees and other fiduciaries may properly and legally invest funds, including capital, in their control or belonging to them. Such bonds are also hereby made securities which may properly and legally be deposited with and received by any Commonwealth or municipal officer or any agency or political subdivision of the Commonwealth for any purpose for which the deposit of bonds or obligations is now or may hereafter be authorized by law. (1970, c. 742; 1977, c. 229)

§ 7. Appropriations by any government.-Any government may make appropriations for the improvement, maintenance or operation of any project constructed,

maintained, or operated by or to be constructed, maintained or operated by the Authority. (1970, c. 742)

§ 8. Conveyance, lease or transfer of property by a city to the Authority.-The city of Richmond in order to provide for the construction, reconstruction, improvement, repair or management of any project, or in order to accomplish any of the purposes of this act may, with or without consideration or for a nominal consideration, lease, sell, convey or otherwise transfer to the Authority, within such city, any real, personal or mixed property. (1970, c. 742)

§ 9. Miscellaneous.-(a) The records, books and accounts of the Authority shall be subject to examination and inspection by duly authorized representatives of the Commonwealth of Virginia and any bondholder or bondholders at any reasonable time, provided the business of the Authority is not unduly interrupted or interfered with thereby.

(b) Any member, agent or employee of the Authority who contracts with the Authority or is interested, either directly or indirectly, in any contract with the Authority or in the sale of any property, either real or personal, to the Authority shall be guilty of a misdemeanor and shall be subject to a fine of not more than one thousand dollars or imprisonment in jail for not more than one year, either or both. Exclusive jurisdiction for the trial of such misdemeanors is hereby conferred upon the Hustings Court of the City of Richmond; provided, that the term "contract", as used herein, shall not be held to include the depositing of funds in, or the borrowing of funds from or the serving as agent or trustee by, any bank in which any member, agent or employee of the Authority may be a director, officer or employee or have a security interest; nor shall such term include contracts or agreements with any government or the purchase of services from, or other transactions in the ordinary course of business with, public service corporations. (1970, c. 742)

§ 10. Exemption from taxation.-All property, real and personal and all rights and interests therein and the income of the Authority, the revenue bonds and the interest thereon, and the transfer thereof and any profit made on the sale thereof, shall at all times be free from taxation or assessment by the Commonwealth and by any municipality, county or other political subdivision thereof. (1970, c. 742)

§ 11. Constitutional construction.-The provisions of this act are severable, and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction the decision of such court shall not affect or impair any of the remaining provisions. (1970, c. 742)

§ 12. Construction-Inconsistent laws.-This act shall be liberally construed to effectuate the purpose hereof and all other general or special laws inconsistent with any provision of this act are hereby declared to be inapplicable to the provisions of this act and to any project constructed by the Authority pursuant to this act. (1970, c. 742)