

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1361

H.P. 983

House of Representatives, April 26, 1989

Approved by a majority of the Legislative Council pursuant to Joint Rule 27.
Reference to the Committee on Legal Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative HANLEY of Paris.
Cosponsored by Senator TWITCHELL of Oxford.

STATE OF MAINE

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

An Act to Amend the Charter of Hebron Academy.

(AFTER DEADLINE)

(EMERGENCY)



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

5 Whereas, it is essential for the success of Hebron Academy's
6 major capital fund drive that it create new classes of trustees;
7 and

9 Whereas, under the academy's charter and bylaws, trustees
10 can only be elected at the trustees' June meeting; and

11 Whereas, nonemergency legislation will not take effect until
12 September; if the Legislature adjourns in June; and

13 Whereas, in the judgment of the Legislature, these facts
14 create an emergency within the meaning of the Constitution of
15 Maine and require the following legislation as immediately
16 necessary for the preservation of the public peace, health and
17 safety; now, therefore,
18

19
20 **Be it enacted by the People of the State of Maine as follows:**

21 **Sec. 1.** P&SL 1981, c. 78, §1, last sentence is repealed.

22 **Sec. 2.** P&SL 1981, c. 78, §§3, 4 and 5 are repealed and the
23 following enacted in their place:

24 **Sec. 3. Trustees; number.** All the affairs of the academy shall
25 be managed by the Board of Trustees, to consist of no more than
26 25 nor fewer than 19 members. The words "trustee" and
27 "trustees," as used in this charter, unless specifically
28 designated otherwise, shall mean an active trustee or active
29 trustees.

30 **Sec. 4. Election.** The election of trustees shall be conducted
31 according to the following provisions.

32 A. At its annual meeting in June of each year, the Board of
33 Trustees shall elect trustees for a term of 4 years each.

34 B. No person may be considered for election as a trustee
35 within 12 months after having served 2 full 4-year
36 consecutive terms, except that the Board of Trustees shall
37 have the right to extend the term of a trustee who is
38 finishing a 2nd full 4-year consecutive term for additional
39 consecutive one-year terms, provided the nominating
40 committee, prior to each additional consecutive one-year
41 term, makes such a recommendation to the trustees by
42 affirmative vote of at least 75% of its members and the
43 Board of Trustees, by vote of at least 75% of the trustees
44 constituting a quorum in attendance at a meeting, so vote.
45 The criteria for such an extension or extensions shall apply
46

1 only to trustees who, because of special circumstances, are
2 in the process of rendering beneficial services for and on
3 behalf of the academy which would be impaired if the term of
4 the trustee or trustees was not extended.

5
6 **Sec. 5. Trustees Emeritus; Honorary Trustees; and Distinguished**
7 **Trustees Emeritus.** A trustee, who has served continuously as a
8 trustee for no fewer than 2 consecutive 4-year terms, at the
9 expiration of the 2nd 4-year term shall be automatically
10 designated a Trustee Emeritus. A former trustee who has served
11 for no fewer than 4 consecutive years may, at the option of the
12 Board of Trustees, be designated a Trustee Emeritus. A trustee
13 who dies while in office may, at the option of the Board of
14 Trustees, be posthumously designated a Trustee Emeritus. All
15 living Trustees Emeritus shall then be exempt from any count to
16 determine the number of trustees or of a quorum for any meeting
17 of the board, but shall have all the rights of a trustee except
18 the right to vote.

19
20 At the discretion of the Board of Trustees, those persons
21 who are not and who have not been trustees, but who have served
22 the academy with special distinction, may be designated as
23 Honorary Trustees. An Honorary Trustee shall have the right to
24 attend trustees' meetings upon the invitation of the Chair of the
25 Board of Trustees. An Honorary Trustee shall have the same
26 rights as a Trustee Emeritus.

27
28 At the discretion of the Board of Trustees, former living
29 trustees who have served the academy with special and
30 extraordinary distinction may be designated as Distinguished
31 Trustees Emeritus, whose status shall be exempt from any count to
32 determine the number of trustees or of a quorum for any meeting
33 of the board, but who shall have all the rights of trustees
34 except the right to vote.

35
36 Trustees Emeritus and Distinguished Trustees Emeritus who
37 subsequently return to the Board of Trustees shall lose status as
38 either Trustee Emeritus or Distinguished Trustee Emeritus during
39 their terms as trustees, but shall automatically resume such
40 designation upon the termination of the terms as trustees.

41
42 **Emergency clause.** In view of the emergency cited in the
43 preamble, this Act shall take effect when approved.

1
3
5
7

STATEMENT OF FACT

This bill amends the Hebron Academy charter by revising classes of trustees and by creating a new class of trustee, "Distinguished Trustees Emeritus."