

MAINE STATE LEGISLATURE

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ONE - HUNDRETH LEGISLATURE

Legislative Document**No. 1051**

H. P. 765

House of Representatives, January 31, 1961

Referred to Committee on Legal Affairs. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Knight of Rockland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-ONE

AN ACT to Revise the Charter of the Universalist Church of Maine.

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

Sec. 1. The Universalist Church of Maine, a corporation. That body created as a corporation under the name of The Maine Universalist Convention by the private and special laws of 1861, chapter 41, is a corporation with all the powers and privileges of similar corporations. The name of the corporation is "The Universalist Church of Maine."

Sec. 2. Purposes and powers of the corporation. The purposes and powers of the corporation are as follows:

- I. To generally promote the beliefs and faith of the Universalist Church.
- II. To assist and advise local Universalist Churches and groups in the management of their affairs, in financial matters, in obtaining ministers, in religious education, and other religious, charitable and educational endeavors.
- III. To encourage, advise and assist suitable persons, financially and otherwise, to enter the ministry of the Universalist Church or to obtain religious education.
- IV. To generally assist ministers and retired ministers of the Universalist Church, financially and otherwise.
- V. To support and assist, financially and otherwise, the Universalist Church of America and its successors and other Universalist corporations, groups and organizations everywhere.

VI. To support and assist, financially and otherwise, charitable and benevolent causes and organizations everywhere.

VII. To receive, hold and convey real property, personal property, and property of every description, or any interest therein, without limit as to value, in trust of any type and description, or in complete ownership, in furtherance of any of the powers and purposes of the corporation, or, if in trust, for any otherwise lawful purpose set forth in the trust instrument and not inconsistent with the purposes of this corporation.

VIII. To do all and everything necessary, suitable and proper in the accomplishment of any of the objects or the purposes and powers herein set forth, either alone or in association with other corporations, or individuals, and to do any other act or acts, thing or things, incidental or appurtenant to, or growing out of, or connected with the aforesaid objects, powers or purposes, or any part or parts thereof; providing that the same is otherwise lawful.

Sec. 3. Trustees' bond. No bond shall be required for the faithful discharge of the duties of the Universalist Church of Maine as trustee, except upon order of court.

Sec. 4. Membership. All Universalist Churches, parishes or societies and fellowships which are located in the State of Maine are members of the corporation, and membership may be further defined by by-laws adopted by the corporation.

Sec. 5. State convention, delegates, powers. The Universalist Church of Maine shall hold a state convention at least annually to be called and held in the manner prescribed by the by-laws.

I. Each Universalist Church, parish, society and fellowship which is located in the State of Maine is entitled to the number of voting delegates to the state convention provided by the by-laws of the Universalist Church of Maine.

II. The state convention has the power to make all necessary by-laws for the effective organization and operation of the corporation.

Sec. 6. Rights and powers of the corporation to property of extinct or disbanded churches. The Universalist Church of Maine is vested with the property and effects of any extinct or disbanded Universalist Church, parish or society within this State as its legal successor, to apply the same to pay the debts, if any, of such extinct or disbanded church, parish or society, and to use any surplus for the purposes or obligations of The Universalist Church of Maine. The Universalist Church of Maine may sell or convert such property and effects into money in accordance with the procedure provided in this section.

I. A finding by the executive board of the Universalist Church of Maine that no church service has been held under the auspices of such church,

parish or society during a period of at least 2 years next prior to the board's determination, or that such church, parish or society is extinct or disbanded, is a pre-requisite to taking of possession of the property and for bringing court proceedings as provided in subsection II.

II. In the event of sale of such property the Universalist Church of Maine may apply to the Superior Court within the county where the property is situated for a judicial decree authorizing the sale thereof. The court shall order such notice of the application to all interested parties, setting forth the date of hearing for the application as it deems reasonable. If, at the hearing, the court is satisfied that all the requirements of this section have been met, it shall order the property sold. The court's decree of sale is authority for the sale.

III. Before sale of the property and after obtaining the court decree above provided, the Universalist Church of Maine shall publish notice of the sale in a newspaper published or circulated in the county where such property is situated for at least 2 successive weeks prior to the date of sale. The Universalist Church of Maine shall also record the decree in the registry of deeds in the county or counties where the property is located.

Sec. 7. Saving clause. All officers, boards and committees which were elected or appointed under the original charter and amendments thereto, and who are in office when this charter becomes law are the lawful officers, boards and committees of the corporation established by this charter until the next election or appointment held for the particular office, board or committee after this charter becomes law. All corporate by-laws adopted pursuant to said original charter and amendments thereto which are in effect at the time this charter becomes law are the lawful by-laws of the corporation herein established until amended, repealed or replaced by the corporation herein established. The corporation herein established is the legal successor of the corporation established by the original charter and amendments thereto, and is vested with all the property, in trust or otherwise, and all the liabilities owned or owed by the original corporation just prior to the time this charter becomes law.

Sec. 8. P. & S. L., 186, c. 41, repealed. Chapter 41 of the private and special laws of 1861, as amended by chapter 188 of the private and special laws of 1879 and by chapter 525 of the private and special laws of 1893, is repealed.

Sec. 9. P. & S. L., 1931, c. 34, repealed. Chapter 34 of the private and special laws of 1931 is repealed.

Sec. 10. P. & S. L., 1947, c. 26, repealed. Chapter 26 of the private and special laws of 1947 is repealed.