

MAINE STATE LEGISLATURE

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(EMERGENCY)

ONE HUNDRED AND FIRST LEGISLATURE

Legislative Document

No. 499

H. P. 342

House of Representatives, January 22, 1963

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

HARVEY R. PEASE, Clerk

Presented by Mr. Nadeau of Biddeford.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-THREE

AN ACT Clarifying the Corporate Powers of the Franciscan Fathers of Maine.

Emergency preamble. Whereas, provisions of the private and special laws of 1953, chapter 123, have created doubt with reference to which of two possible bodies is authorized to exercise corporate powers granted to Franciscan Fathers of Maine, a corporation organized in 1947 under the Revised Statutes, chapter 50; and

Whereas, in view of such doubt the Federal Government through its housing and home finance administration is unwilling to loan funds to the said corporation in order to construct a dormitory on the campus of Saint Francis College in Biddeford; and

Whereas, the dormitory project is to be financed with bonds which the corporation had agreed to issue and the Federal Government has agreed to buy, is already in the process of being built and the bond proceeds will soon be required to pay for such construction; and

Whereas, the said doubt as to the corporate body entitled to act needs promptly to be resolved and the authority of said corporation to issue bonds in accordance with the requirements of said agency of the Federal Government, established; and

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

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

Sec. 1. P. & S. L., 1953, c. 123, § 1, amended. Section 1 of chapter 123 of the private and special laws of 1953 is amended to read as follows :

'Sec. 1. Corporate powers. The ~~trustees, their associates and successors of~~ the Franciscan Fathers of Maine, a corporation organized under ~~chapter 50 of~~ the Revised Statutes of 1954, chapter 54, and acting by and through its board of directors as from time to time constituted, ~~are~~ is constituted and confirmed as a body politic and corporate by the name of Franciscan Fathers of Maine, with power to sue and be sued, plead and be impleaded, and to have perpetual ~~succession~~ existence; to acquire, take by devise, bequest or otherwise, hold, purchase, encumber and convey such real and personal estate as shall be required for the purpose of its incorporation; to make and use a common seal, and the same to alter at pleasure.'

Sec. 2. Serial bonds authorized. Any other law to the contrary notwithstanding, said corporation may issue its bonds and make them payable serially in annual installments, the first of such installments to be not later than 5 years after the date of such bonds and the last such installment to be not later than 50 years after such date.

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.