

MAINE STATE LEGISLATURE

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(EMERGENCY)
SECOND REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1768

H. P. 1659

House of Representatives, January 7, 1980

Speaker laid before the House and on Motion of Mr. Violette of Van Buren referred to the Committee on Business Legislation. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk of the House

Presented by Mrs. Nelson of Portland.

Cosponsors: Mr. Garsoe of Cumberland and Mr. Jackson of Yarmouth.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY

AN ACT to Define "Expended for Charitable Purposes" in the Charitable Solicitations Act.

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

Whereas, regulations have been promulgated and put into effect by the Secretary of State pursuant to the Charitable Solicitations Act which are not in accord with legislative intent; and

Whereas, many charitable organizations could be severely injured by these regulations; 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:

9 MRSA § 5003, sub-§ 4-A is enacted to read:

4-A. Expended for charitable purposes. "Expended for charitable purposes"

means any and all expenditures made in furtherance of charitable purposes, including, without limitation, administrative, program service and fund-raising expenditures, but does not include expenditures paid to professional fund-raising counsel or professional solicitors.

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

STATEMENT OF FACT

This bill clarifies the meaning of the phrase "expended for charitable purposes." The bill alters the meaning given to the phrase by regulations issued by the Secretary of State.