

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 790

H.P. 553

House of Representatives, February 21, 1991

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.
Reference to the Committee on Energy and Natural Resources suggested and ordered printed.

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

EDWIN H. PERT, Clerk

Presented by Representative TAMMARO of Baileyville.

Cosponsored by Senator VOSE of Washington, Representative TOWNSEND of Eastport and Representative BAILEY of Township 27.

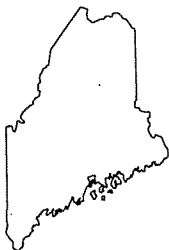
STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

**An Act to Make a Technical Correction in the Enabling Legislation of
the St. Croix International Waterway Commission.**

(AFTER DEADLINE)

(EMERGENCY)



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

4
Whereas, the St. Croix International Waterway Commission,
6 composed of members representing Maine and New Brunswick, has
been established to coordinate planning, development and
8 management of the St. Croix waterway; and

10
Whereas, the St. Croix International Waterway Commission has
been granted nonprofit corporation status for tax purposes under
12 the laws of New Brunswick and Canada; and

14
Whereas, the Internal Revenue Service of the United States
Department of Commerce refuses to grant nonprofit corporation
16 status to the St. Croix International Waterway Commission unless
a technical change is made in the enabling legislation; and

18
Whereas, nonprofit corporation status under the United
20 States law is essential to the operation and funding of the St.
Croix International Waterway Commission; and

22
Whereas, in the judgment of the Legislature, these facts
24 create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
26 necessary for the preservation of the public peace, health and
safety; now, therefore,

28
Be it enacted by the People of the State of Maine as follows:

30
38 MRSA §998, sub-§8 is enacted to read:

32
8. Dissolution. Upon dissolution of the commission, any
34 net assets must be distributed for charitable purposes within the
meaning of the Internal Revenue Code, Section 501 (c)(3).

36
Emergency clause. In view of the emergency cited in the
38 preamble, this Act takes effect when approved.

40
42
STATEMENT OF FACT

44
This bill conforms the enabling law of the St. Croix
International Waterway Commission with the United States Internal
46 Revenue Service Code governing nonprofit corporations. The St.
Croix International Waterway Commission can not obtain funds and
operate in accordance with its charter until the provision of
48 this bill is enacted into law.