

MAINE STATE LEGISLATURE

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N I N E T I E T H L E G I S L A T U R E

Legislative Document

No. 1079

H. P. 1867

House of Representatives, April 1, 1941.

(Received by Unanimous Consent)

Referred to Committee on Legal Affairs. Sent up for concurrence and 750 copies ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Payson of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-ONE

AN ACT Incorporating the Maine Vocational School.

Emergency preamble. Whereas, adequate provisions are not made in the state of Maine for the vocational training of young people, and

Whereas, such training is desirable and essential in carrying forward preparations for national defense, as well as for the benefit of those so trained, and

Whereas, there is a reasonable probability that congress will soon enact legislation permitting grants to states for the purposes of establishing vocational schools, and

Whereas, it is extremely important that the state be prepared to take advantage of such an opportunity, and

Whereas, in the judgment of the legislature these facts create an emergency within the meaning of section 16 of Article XXXI 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. Incorporation. William S. Nutter of Sanford, William S. Newell, of Bath, George Otis Smith of Skowhegan, Bertram E. Packard of Augusta, Percival P. Baxter of Portland, and Paul Julien of Waterville, their associates, successors and assigns are hereby incorporated and made a body politic as a charitable and educational corporation with its principal place of business at Augusta, Maine, by the name of "Maine Vocational School" with the right to have continual succession and a common seal, to elect all necessary officers, to adopt by-laws not inconsistent with law, and to enforce its by-laws by suitable penalties, and in addition thereto, to enjoy all other rights, privileges and immunities of legal, charitable and educational corporations organized under the provisions of chapter 70 of the revised statutes, including the right to sue and be sued.

Sec. 2. May acquire property. The corporation may for its purposes and from any source acquire property, including property to be held upon trust or otherwise, and may take and hold by purchase, grant, gift, devise or bequest or in any other manner, except by eminent domain, real property, and personal property in any amount in excess of any limitation imposed by the general law, and may use and dispose of its property as to principal or income and in whole or in part, only for the purposes for which the corporation is organized or to corporations or associations within or without the state of Maine organized for charitable purposes, except that the corporation may and shall sell or otherwise dispose of real estate acquired in any manner above designated which it deems not necessary or useful for its purposes. The said corporation shall have the right and power to lease or deed, either in fee or under conditions, to the state of Maine or any department or bureau thereof, such of its property as might be necessary to enable the state of Maine to take advantage of federal appropriations for the creation, development and/or operation of a school for vocational education, and the state of Maine and any department or bureau thereof is hereby authorized to enter into such lease or accept such deed for the purpose of carrying out the purposes herein mentioned. Any department or bureau is hereby authorized to accept federal grants for the purposes herein set forth, and is authorized to cooperate with the federal government in the creation and maintaining and/or operating such a vocational school.

Sec. 3. Powers of corporation. The corporation has all the broad powers which now pertain by law to corporations organized for charitable purposes under the provisions of chapter 70 of the revised statutes as the same may be defined by the laws of Maine, and particularly for scientific

and educational purposes and in furtherance and not in limitation of the purposes and powers hereinbefore stated, its powers and purposes shall be construed to include, and shall include the establishment or acquisition of suitable grounds and buildings by lease, grant, purchase or otherwise, excepting by right of eminent domain for the purpose of maintaining a vocational training school, and the right to equip and maintain such buildings for said purposes and to make suitable arrangements for the instruction of students in the various vocations regardless of whether said students are residents of the state of Maine or not, and to enter into agreements with persons, firms, and/or corporations for their assistance in furnishing opportunities for practical vocational training and instruction, and to charge such fees for instruction and use of facilities, including housing and boarding facilities; and in addition to any of the powers specifically herein set forth it shall have equally broad powers in connection with any purpose defined as a charitable purpose under the general laws of Maine.

Sec. 4. No compensation to officials. No officer, member or employee of this corporation shall receive or be lawfully entitled to receive any pecuniary profit from the operations thereof, except reasonable compensation for services in effecting one or more of its purposes. The governing board of trustees shall be entitled to reimbursement for all reasonable expenditures, but shall receive no compensation for their services.

Sec. 5. First meeting. The first meeting of said corporation shall be called by a notice signed by one of the incorporators hereinbefore named stating the time and place thereof, and mailed to each of the incorporators at his usual place of business or residence. No notice shall be necessary to such of the incorporators as shall in writing waive notice of said meeting. At such first meeting, said incorporators or a majority of them, shall effect an organization in the same manner as if proceeding under the aforesaid chapter 70 of the revised statutes, except insofar as the procedure prescribed by such chapter may be inconsistent with the terms of this act.

Sec. 6. Certificates to be filed. Before commencing business a majority of the directors or trustees of this corporation shall file certificates as provided for by section 4 of chapter 70 of the revised statutes.

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