

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**  
AS PASSED BY THE

**ONE HUNDRED AND TENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
December 3, 1980 to June 19, 1981

**AND AT THE**

**FIRST SPECIAL SESSION**  
August 3, 1981

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

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FIRST REGULAR SESSION

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ONE HUNDRED AND TENTH LEGISLATURE

1981

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## CHAPTER 306

H. P. 418 — L. D. 465

### **AN ACT Concerning Appointed Chief Administrative Officers of Local Districts under the Maine State Retirement Laws.**

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

5 MRSA § 1092, sub-§ 5, is amended by adding a new sentence at the end to read:

**Membership shall be optional for a chief administrative officer whether appointed for a fixed term or whether appointed with tenure.**

Effective September 18, 1981

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## CHAPTER 307

S. P. 542 — L. D. 1513

### **AN ACT to Amend the Maine Nonprofit Corporation Act.**

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

Whereas, the Maine Nonprofit Corporation Act does not permit boards of directors to appoint nondirectors to executive and other committees; and

Whereas, the impermissibility of appointing nondirectors to such committees, other than an executive committee, seriously impairs the operations and undermines the objectives of many nonprofit institutions in this State which require the leadership and contributions of persons who may not necessarily be directors; 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.** 13-B MRSA § 709, sub-§ 1, as enacted by PL 1977, c. 525, § 13, is amended to read:

1. **Executive committee.** If the articles of incorporation or the bylaws so provide, the board of directors, by a resolution adopted by a majority of the full board of directors, may designate from among its members an executive committee ~~and other committees, each~~ consisting of 2 or more directors, and may delegate to such **executive committee or committees** all the authority of the board of directors, except that no such **executive committee or committees** shall have or exercise the authority of the board of directors to:

- A. Amend the articles of incorporation;
- B. Adopt a plan of merger or consolidation;
- C. Recommend to the members the sale or other disposition of all or substantially all of the property and assets of the corporation other than in the usual course of its business;
- D. Recommend to the members voluntary dissolution of the corporation or revocation of such dissolution; or
- E. Amend the bylaws of the corporation.

Sec. 2. 13-B MRSA § 709, sub-§ 1-A is enacted to read:

1-A. **Other committees.** If the articles of incorporation or the bylaws so provide, the board of directors may designate such other committees as the board deems necessary, which committees may consist of either members of the board or other persons as designated in the bylaw or resolution authorizing that committee.

Sec. 3. 13-B MRSA § 709, sub-§ 4, first sentence, as enacted by PL 1977, c. 525, § 13, is amended to read:

At the time an executive committee or any other committee is created, or at any time thereafter, the board of directors may designate ~~from among its members~~ one or more alternate members of such committee, and may specify their order of preference.

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

Effective May 21, 1981

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## CHAPTER 308

H. P. 236 — L. D. 250

**AN ACT to Provide for the Termination of Cable Television Permits Issued Prior to July 1, 1965 without Fixed Termination Dates.**