

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND TENTH LEGISLATURE

SECOND SPECIAL SESSION

September 25, 1981

AND

THIRD SPECIAL SESSION

December 9, 1981

AND

SECOND REGULAR SESSION

January 6, 1982 to April 13, 1982

AND AT THE

FOURTH SPECIAL SESSION

April 28, 1982 to April 29, 1982

AND AT THE

FIFTH SPECIAL SESSION

May 13, 1982

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 164, SUBSECTION 6.

J.S. McCarthy Co.
Augusta, Maine
1981

**PRIVATE AND
SPECIAL LAWS**

OF THE

STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION

and

FIFTH SPECIAL SESSION

of the

ONE HUNDRED AND TENTH LEGISLATURE

1981

of assessors of the plantation shall issue a warrant, in accordance with the general laws, for the first town meeting, to be held within one year after passage of this Act. Notification of the town meeting shall be filed by the plantation clerk with the Secretary of State for determining the effective date of sections 1 and 2.

Sec. 4. Referendum; certificate to Secretary of State. The board of assessors of the plantation shall submit this Act to the legal voters within the territory embraced within the limits of the proposed Town of West Forks, by ballot at a regular or special election to be held within one year after passage of this Act. This election shall be called, advertised and conducted according to Title 30, sections 2061 and 2065. The plantation clerk shall prepare the required ballots, on which he shall reduce the subject matter of sections 1 and 2 of this Act to the following question.

"Shall West Forks Plantation be incorporated into the Town of West Forks?"

The voters shall indicate by a cross or check mark placed against the word "Yes" or "No" their opinion of the same. This Act shall be approved by a majority of the legal voters voting at the election, provided that the total number of votes cast for and against the acceptance of sections 1 and 2 of this Act at the election equaled or exceeded 50% of the total number of votes cast in the plantation for Governor at the last gubernatorial elections.

The result of the vote shall be declared by the board of assessors of West Forks Plantation and due certificate shall be filed by the plantation clerk with the Secretary of State.

Emergency clause. In view of the emergency cited in the preamble, section 3 of this Act shall take effect upon its acceptance by a majority of the legal voters at the election. Sections 1 and 2 of this Act shall take effect for all purposes at the first town meeting.

Effective pending referendum, unless otherwise indicated.

CHAPTER 78

H.P. 1781 - L.D. 1771

AN ACT to Revise the Charter of Hebron Academy.

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

Sec. 1. Intent and purpose. It is the intent and purpose of this Act to revise and codify previous Acts of the Legislature affecting the charter of Hebron Academy and to change the name of the body politic to Hebron Academy Incorporated. To the extent that they are inconsistent with this Act, previous Acts are hereby repealed. As established by the Laws and Resolves of Massachusetts, 1803, chapter 75, which chapter was last amended by Private and Special Laws of 1975, chapter 9, the academy shall continue for the purposes of promoting piety and virtue, and for the education of youth, in such language, and in such of the liberal arts and sciences as the trustees shall order and direct.

Sec. 2. Name change. The name of the body politic shall be changed from the Trustees of Hebron Academy to Hebron Academy Incorporated.

Sec. 3. Trustees; number. All the affairs of the academy shall be managed by a Board of Trustees, to consist of no more than 25 nor less than 19 members.

Sec. 4. Election. The election of trustees shall be conducted according to the following provisions.

A. At its annual meeting in June of each year, the Board of Trustees shall elect trustees for a term of 4 years each, subject to the provisions of paragraph C.

B. No person may be considered for election as a trustee within 12 months after having served 2 full consecutive terms.

C. All active trustees serving on the effective date of this Act shall serve out their elected terms. The Board of Trustees shall enter into contracts with the Life Trustees with respect to their terms to accomplish in an orderly and proper fashion the election of trustees under this section, so that prior to the end of 3 years from the effective date of this Act, there shall be no Life Trustees.

Sec. 5. Honorary Trustees; Trustees Emeritus. A trustee holding office on the occasion of his 70th birthday, who has served continuously as a trustee for no less than 4 years immediately preceding such event, or a trustee who completes 4 years of continuous service on a date subsequent to the occasion of his 70th birthday, shall be automatically designated an Honorary Trustee and is then exempt from any count to determine the number of trustees or of a quorum for

any meeting of the board, and has all the rights of a trustee except the right to vote.

At the discretion of the Board of Trustees, trustees who have served the academy with distinction may be designated Trustee Emeritus, which status shall be exempt from any count to determine the number of trustees or of a quorum for any meeting of the board and shall not have the right of a vote.

Sec. 6. Term of office. The terms of office of the respective members of the Board of Trustees shall begin at the end of the annual meeting of the Board of Trustees held in June of each year.

Sec. 7. Powers of trustees. The Board of Trustees shall have and may exercise all the powers of the academy. Without limiting the generality of this section, the Board of Trustees may:

A. Manage the academy's funds and assets and invest and reinvest the funds and assets in real or personal property of any kind, tangible or intangible, or any interest therein, whether or not the investments chosen would be considered a proper investment for a trustee, and irrespective of the proportion of such funds placed in any one or more investments; exercise all the rights, powers and privileges pertaining to the ownership of any securities forming part of the academy's assets to the same extent that an individual might; and appoint, determine the powers, compensation and duties of, and discharge agents or trustees in connection with this paragraph;

B. Acquire by purchase, lease, gift, bequest, devise or otherwise, real or personal property which may be deemed suitable or convenient for or in connection with the purpose and activities of the academy; manage the property and sell, lease or otherwise dispose of real or personal property of the academy;

C. Borrow money and authorize the giving of notes or other obligations therefor and, if deemed desirable, secure the payment thereof by mortgage, pledge, assignment, transfer or conveyance of any part of the academy's property and assets then owned or thereafter acquired;

D. Authorize and adopt an annual budget for the operation of the academy; and

E. Adopt bylaws, not inconsistent with the provisions

of this Act. Bylaws adopted under this paragraph may be amended by 2/3 vote of the trustees at a duly authorized meeting of the Board of Trustees; provided that a written 30-days' notice of the proposed changes is given to all members of the Board of Trustees.

Sec. 8. Meetings; quorum. There shall be at least 3 meetings of the Board of Trustees each year, to be held in the months of October, January and June, on a date set by the Chairman of the Board of Trustees. The June meeting shall be the annual meeting.

The Board of Trustees shall meet in special session at the call of the chairman or at the call of any 5 members of the Board of Trustees, and such special meetings shall be held at the academy unless otherwise designated by the chairman.

Fifty percent of the members of the Board of Trustees duly elected and holding office shall constitute a quorum for the transaction of business.

Sec. 9. Removal from office. The Board of Trustees may, subject to the terms of the appointment or employment of any particular officer, remove any officer from office at any time with or without cause by vote of a majority of the whole number of trustees. It shall be a cause for removal in the discretion of the Board of Trustees if any trustee misses a majority of trustee meetings held in any calendar year. A trustee may be removed from office for cause by vote of a majority of the whole number of trustees after reasonable notice and an opportunity to be heard.

Sec. 10. Net earnings. None of the net earnings or net profits of the academy shall inure to the benefit of or be distributed to any trustee or officer.

Effective July 13, 1982

CHAPTER 79

H.P. 1989 - L.D. 1957

AN ACT to Increase Capacity at the
Charleston Correctional Facility.