

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND THIRTEENTH LEGISLATURE

AS PUBLIC LAWS AND CONSTITUTIONAL RESOLUTIONS

at the

THIRD SPECIAL SESSION

September 15, 1988 to September 16, 1988

and the

FOURTH SPECIAL SESSION

November 28, 1988

AND

AS PRIVATE AND SPECIAL LAWS AND RESOLVES

at the

FIRST REGULAR SESSION

December 3, 1986 to June 30, 1987

FIRST SPECIAL SESSION

October 9, 1987 to October 10, 1987

SECOND SPECIAL SESSION

October 21, 1987 to November 20, 1987

SECOND REGULAR SESSION

January 6, 1988 to May 5, 1988

THIRD SPECIAL SESSION

September 15, 1988 to September 16, 1988

and the

FOURTH SPECIAL SESSION

November 28, 1988

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Twin City Printery
Lewiston, Maine
1989

**PRIVATE AND
SPECIAL LAWS**

OF THE

STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION

of the

ONE HUNDRED AND THIRTEENTH LEGISLATURE

1987

CHAPTER 86

H.P. 1523 — L.D. 2076

AN ACT Relating to the Tax-Exempt Status of Anson Academy Association.

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

Whereas, the Anson Academy Association is now existing as a charitable and benevolent corporation; and

Whereas, the United States Internal Revenue Service will not recognize the tax-exempt charitable and educational status of the Anson Academy Association unless certain changes are made to the charter of the Anson Academy Association; and

Whereas, lack of such recognition by the United States Internal Revenue Service will hamper the association's fund-raising efforts and reduce the ability of the association to provide educational assistance and scholarships to needy students; 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. P&SL 1823, c. 201, §1-B, first ¶, as enacted by PL 1971, c. 157, §3, is amended to read:

The corporation may ~~establish, maintain and operate schools~~; give aid and assistance in the establishment, maintenance and operation of schools; establish, provide, support and pay for equipment, libraries, teaching aids and communications facilities to aid in education; establish, assist in establishing, aid and support museums, libraries, historical societies and depositories for historical and scientific documents and artifacts; provide, support and pay for seminars, conferences and lectures; provide scholarship aid and assistance to students pursuing post-secondary education; all in the interest of assisting school administration and individual students, enriching the process of education and promoting better schools, school programs and education in the Towns of Anson, Embden, New Portland and Solon and other places in the State ~~of Maine~~.

Sec. 2. P&SL 1823, c. 201, §7 is enacted to read:

7. Limitations. Notwithstanding any other provision of this Act, the corporation is organized exclusively for one or more of the following purposes: Religious, charitable, scientific, testing for public safety, literary

or educational purposes or for the prevention of cruelty to children or animals, as specified in the United States Internal Revenue Code, Section 501(c)(3), and shall not carry on any activities not permitted to be carried on by a corporation exempt from federal income tax under the United States Internal Revenue Code of 1954, Section 501(c)(3).

No part of the net earnings of the corporation may inure to the benefit of any member, trustee, director or officer of the corporation, or any private individual, except that reasonable compensation may be paid for services rendered to or for the corporation, and no member, trustee or officer may be entitled to share in the distribution of any of the corporate assets upon dissolution of the corporation.

The corporation may not carry on propaganda or otherwise attempt to influence legislation, except as otherwise provided by the United States Internal Revenue Code, Section 501(h), or participate in or intervene in any political campaign, including the publication or distribution of statements, on behalf of any candidate for public office.

Upon the dissolution of this organization, assets must be distributed for one or more exempt purposes within the meaning of the United States Internal Revenue Code, Section 501(c)(3), or corresponding section of any future federal tax code, or must be distributed to the Federal Government or to a state or local government for a public purpose.

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

Effective January 28, 1988.

CHAPTER 87

H.P. 1437 — L.D. 1953

AN ACT Relating to Kents Hill School.

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

P&SL 1971, c. 159, §2 is amended to read:

Sec. 2. — term. The Except as provided in this section, the term of office of the members of said the board of trustees shall be 6 years and as the terms of the trustees expire their successors shall be elected for a full term of 6 years by the remaining trustees by majority ballot of those present at the meeting when such election is held, and vacancies in said the board from whatever cause arising shall be filled for the unexpired term in the same manner. A trustee may succeed himself, if duly elected.

The trustees may provide in the school's bylaws that the individual serving as president of the alumni/ae as-

sociation of the school shall be a voting member of the board of trustees during that individual's term of office as president of the association.

Effective August 4, 1988.

CHAPTER 88

H.P. 1496 — L.D. 2046

AN ACT to Clarify the Voting Method of Expansion of the Harrison Water District.

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

Whereas, under Private and Special Law 1987, chapter 75, an election must be held not later than June 1, 1988; and

Whereas, technical corrections are necessary to that law and must take effect prior to the expiration of the 90-day period; 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:

P&SL 1987, c. 75, §6 is amended to read:

Sec. 6. Referendum; effective date. The trustees serving on the effective date of section 2 of this Act may complete their terms. Replacement shall be in accordance with section 2. Section 1 shall be submitted to the legal voters of Harrison and the legal voters of the district and of the territory to be added to the district within Harrison and the legal voters of the district and of the territory to be added to the district within North Bridgton at a special election or elections to be called and held for the purpose on or before December 31, 1989. The elections shall be called by the municipal officers of the Towns of Harrison and Bridgton and shall be held at the regular voting places. The dates of the elections shall be determined by the municipal officers, but the first election in the district shall not be later than June 1, 1988. The special elections shall be called, advertised and conducted according to the law relating to municipal elections; except that the board of registration shall not be required to prepare nor the town clerks to post a new list of voters, and for this purpose the board of registration shall be in session on the 3 working days next preceding the elections, the first and 2nd days to be devoted to registration of voters and the last day to enable the board to verify the corrections of the lists and to complete and close their records of the session. The town

clerks shall reduce the subject matter of this Act to the following question:

“Shall the boundaries of the Harrison Water District be straightened and extended?”

The voters shall indicate by a cross (x) or check mark (✓) placed against the word “Yes” or “No” their opinion of the same.

Section 1 of this Act shall take effect for all purposes hereof immediately upon its acceptance by a majority of the legal voters voting at the elections, but only if the total number of votes cast for and against the acceptance of this Act in the special elections equals or exceeds 10% of the registered voters of the district and of the territory to be added to the district within the Town of Harrison and 10% of the registered voters of the district and of the territory to be added to the district within North Bridgton, but failure of approval by the necessary or percentage of voters shall not prevent subsequent elections.

The results of the elections shall be declared by the municipal officers of the towns and due certificates thereof shall be filed by the town clerks with the Secretary of State.

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

Effective pending referendum.

CHAPTER 89

H.P. 1547 — L.D. 2107

AN ACT to Amend the Charter of the Limestone Water and Sewer District.

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

P&SL 1957, c. 59, §8, 5th sentence, as amended by P&SL 1979, c. 97, is further amended to read:

The trustees shall meet monthly and specially as may be necessary and each shall receive compensation of ~~\$25~~ \$500 for each regular or special meeting attended; provided, however, that the total annual compensation of each shall not exceed \$500 as authorized by the municipal officers pursuant to the Maine Revised Statutes, Title 35-A, section 6303, subsection 4.

Effective August 4, 1988.

CHAPTER 90

S.P. 883 — L.D. 2291

AN ACT Creating the Fayette Water District.