

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**  
**ONE HUNDRED AND TWENTY-FIRST LEGISLATURE**

**FIRST SPECIAL SESSION**  
**August 21, 2003 to August 22, 2003**

**The General Effective Date For**  
**First Special Session**  
**Non-Emergency Laws Is**  
**November 22, 2003**

**SECOND REGULAR SESSION**  
**January 7, 2004 to January 30, 2004**

**The General Effective Date For**  
**Second Regular Session**  
**Non-Emergency Laws Is**  
**April 30, 2004**

**SECOND SPECIAL SESSION**  
**February 3, 2004 to April 30, 2004**

**The General Effective Date For**  
**Second Special Session**  
**Non-Emergency Laws Is**  
**July 30, 2004**

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

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2004**

## CHAPTER 522

## H.P. 1378 - L.D. 1852

**An Act To Extend the Dairy  
Stabilization Subsidy Through  
May 31, 2004**

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

**Whereas,** serious financial harm will occur to dairy farmers due to rapidly declining prices for their milk before the 90 days have passed; and

**Whereas,** a delay in providing these payments could cause irreparable harm to the dairy industry and result in the loss of additional dairy farms and agriculture-related businesses, which will have significant adverse effects on the economy of rural and inland Maine, jeopardize maintenance of valuable open space and compound existing problems of sprawl; and

**Whereas,** this legislation will provide temporary financial assistance for dairy farmers while the Legislature deliberates on a proposal to provide a long-term response to inadequate and unpredictable milk prices; 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. 7 MRSA §3153-A**, as enacted by PL 2003, c. 120, §2, is amended to read:

**§3153-A. Dairy stabilization subsidy**

If the base price of milk falls below \$16.94 per hundredweight in any month beginning September 1, 2003 and ending ~~December 31, 2003~~ May 31, 2004, the administrator of the Maine Milk Pool shall distribute to Maine milk producers on a per hundredweight basis ~~55%~~ 40% for the months of January to May 2004 of the difference between \$16.94 per hundredweight and the base price of milk per hundredweight. The amount distributed for milk produced during the period between ~~September 1, 2003 and December 31, 2003~~ January 1, 2004 and May 31, 2004 may not exceed ~~\$3,000,000~~ \$2,100,000. The Governor shall provide these funds to the Maine milk pool administrator for distribution to Maine milk producers, as provided for in this section, during the

months of October 2003 to ~~January~~ June 2004. The base price of milk is the Suffolk County, Massachusetts Class I price of milk as determined for each month by the Northeast Market Administrator of the United States Department of Agriculture. ~~The Governor shall seek a General Fund appropriation during the Second Regular Session of the 121st Legislature if needed for the purposes of this section.~~

**Sec. 2. PL 2003, c. 513, Pt. C, §1** is repealed.

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

Effective February 20, 2004.

## CHAPTER 523

## H.P. 1283 - L.D. 1761

**An Act To Amend the Laws Relating  
to Nonprofit Corporations**

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

**Sec. 1. 13 MRSA §903**, as corrected by RR 1993, c. 1, §39, is repealed and the following enacted in its place:

**§903. Certificate of organization**

The incorporators shall prepare, sign, date and deliver for filing with the Secretary of State a certificate of organization setting forth the name, location, officers and directors, trustees or managing board and purposes of the corporation. The certificate must clearly state that the corporation is not organized for profit and that no property or profit of the corporation inures to the benefit of any person, partnership or corporation except in furtherance of the benevolent or nonprofit purposes of the corporation. Once the Secretary of State has filed the certificate of organization, the corporation may carry on activities pursuant to this chapter.

**Sec. 2. 13 MRSA §§907 and 908** are enacted to read:

**§907. Filing duty of the Secretary of State**

If a certificate delivered for filing with the Secretary of State satisfies the requirements of this chapter, the Secretary of State shall file the certificate. The date of filing is the date of receipt by the Secretary of State. After filing any certificate under this chapter, the Secretary of State shall deliver to the corporation or its representative a copy of the