

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Require Interscholastic Athletic Organizations To Comply with Freedom of Access Laws

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

Sec. 1. 13-B MRSA §408 is enacted to read:

§ 408. Interscholastic athletic organizations

An interscholastic athletic organization, as a condition of incorporation in this State, shall comply with the freedom of access provisions of Title 1, chapter 13. If the Secretary of State determines that the corporation has failed to comply with the provisions of Title 1, chapter 13, the Secretary of State shall commence a proceeding under section 1113 to administratively dissolve the corporation.

For purposes of this section, "interscholastic athletic organization" means an organization that:

- 1. Members.** Has as its members public or private secondary schools; and
- 2. Athletic activities.** Promotes, organizes or regulates interscholastic athletic activities in this State.

Sec. 2. 13-B MRSA §1112, sub-§5, as amended by PL 2007, c. 323, Pt. B, §9 and affected by Pt. G, §4, is further amended to read:

5. Failure to notify of change of registered agent or address. The corporation does not notify the Secretary of State that its registered agent has changed as required by Title 5, section 108, subsection 1 or the address of its registered agent has been changed as required by Title 5, section 109 or 110 or that its registered agent has resigned as required by Title 5, section 111; or

Sec. 3. 13-B MRSA §1112, sub-§6, as enacted by PL 2003, c. 631, §3, is amended to read:

6. Filing of false information. An incorporator, director, officer or agent of the corporation signed a document with the knowledge that the document was false in a material respect and with the intent that the document be delivered to the Secretary of State for filing; or

Sec. 4. 13-B MRSA §1112, sub-§7 is enacted to read:

7. Compliance with other law. An incorporator, director, officer or agent of the corporation fails to comply with any other applicable law.

SUMMARY

This bill requires an interscholastic athletic organization that is incorporated in this State, such as the Maine Principals' Association, to comply with the freedom of access laws, such as having public

meetings and making its records available to the public. If the Secretary of State determines that the corporation is not complying, the Secretary of State is allowed to commence dissolution proceedings against that corporation.