CHAPTER 93

RELIGIOUS SOCIETIES

SUBCHAPTER 1

PARISHES AND SOCIETIES

ARTICLE 1

ORGANIZATION AND OPERATION

§2861. Meeting to form parish

A person 18 years of age or older, desirous of becoming an incorporated parish or religious society, may apply to a notary public, who shall issue a warrant to one of them, directing that applicant to notify the other applicants to meet at some proper place expressed in the warrant. The applicant shall give notice of the meeting 7 days at least before holding the meeting by posting a notification of the meeting on the outer door of the meetinghouse or place of public worship of the society, if any, otherwise at such place as the notary appoints. [RR 2025, c. 1, Pt. E, §33 (COR).]

SECTION HISTORY

PL 1969, c. 433, §15 (AMD). PL 1971, c. 598, §12 (AMD). PL 1981, c. 456, §A42 (AMD). RR 2025, c. 1, Pt. E, §33 (COR).

§2861-A. Bylaws; disposal of assets

The bylaws of a corporation organized under this chapter after the effective date of this section must provide for the disposal of the corporation's assets. [PL 1995, c. 300, §2 (NEW).]

SECTION HISTORY

PL 1995, c. 300, §2 (NEW).

§2862. Organization; name

Persons assembled under section 2861 may choose a clerk and other needful parish officers, and shall thereupon be a corporation, bear the name which they assume and have all the powers of parishes and religious societies.

§2863. Property and bylaws

Every parish may take by gift or purchase any real or personal estate, until the clear annual income thereof amounts to $3,000; convey the same and establish bylaws not repugnant to law.

§2864. Insurance; losses

A parish in the actual occupancy of a church, meetinghouse or other building used for religious purposes may insure it against loss by fire. In case of such loss, the company insuring it shall not deny the occupancy of the parish, its legal existence or its right to maintain an action on the policy. The money so recovered shall be held by the parish in trust for repairing or restoring the building, and shall be so applied.

§2865. Admission to parish

A person of either sex, of age 18 years or older, may become a member of a parish or religious society by vote thereof at a legal meeting. [PL 1971, c. 598, §12 (AMD).]

SECTION HISTORY

PL 1969, c. 433, §16 (AMD). PL 1971, c. 598, §13 (AMD).

§2866. Persons deemed members; dissolution

A person described in section 2865 residing in a local parish holding funds derived from this State or Massachusetts is deemed a member of it until the person dissolves the connection. Such a person having resided in a parish one year, after the person has arrived at majority, without either giving written notice to the parish's clerk of the person's consent to be a member of the parish, or paying a tax or subscription according to the mode that the parish has adopted to raise money, is deemed to have thereby dissolved the person's connection with the parish. The connection remains dissolved, and the person is not taxable until the person renews the connection by giving written notice to the parish's clerk of the person's consent to be a member of the parish. A person residing in a local parish may become a member of such parish not deriving funds from the State by giving written notice to the parish's clerk of the person's intention to do so within one year after the person is of age or removes thereto. [RR 2025, c. 1, Pt. E, §34 (COR).]

SECTION HISTORY

RR 2025, c. 1, Pt. E, §34 (COR).

§2867. No compulsion; withdrawals

A person described in section 2866 may not be a member of a parish or religious society without the person's consent. A person may dissolve that person's connection with a parish or religious society by leaving with its clerk a certificate of the person's intention to do so, and all the person's liability for future expenses ceases; but the person may be taxed for money previously raised, except in case of removal from a local parish. [RR 2025, c. 1, Pt. E, §35 (COR).]

SECTION HISTORY

RR 2025, c. 1, Pt. E, §35 (COR).

ARTICLE 2

MEETINGS

§2901. Call and notice; clerk

The annual or other meetings of an incorporated parish may be called by its assessors or clerk to be held at the time when, and place in the town where, they are usually held. The members of such parish shall be notified of such meeting as prescribed in section 2861 or in the manner agreed on by its vote. At such meeting, they may choose a clerk who shall be sworn, 2 or more assessors, a collector, treasurer, standing committee and all other needful officers. The assessors shall manage the prudential concerns of the parish, when no other persons are appointed for that purpose, and shall be sworn.

§2902. Moderator

The moderator of any meeting shall preserve order, manage the business and administer the oath to the clerk and assessors.

§2903. Request of members for meeting

When 5 members of any parish in writing request the assessors to call a meeting, or to insert any particular article in the warrant therefor, they shall do so.

§2904. Refusal of assessors

If the assessors unreasonably refuse, a justice of the peace on like application may issue a warrant to one of the applicants, who shall notify such meeting as prescribed in section 2861 or as agreed on by parish vote. [RR 2025, c. 1, Pt. E, §36 (COR).]

SECTION HISTORY

PL 1981, c. 456, §A43 (AMD). PL 1987, c. 736, §10 (AMD). RR 2025, c. 1, Pt. E, §36 (COR).

§2905. No meeting for 3 years

When there has been no meeting of an incorporated parish or society for 3 years, a meeting may be called as provided in section 3110.

§2906. Qualification of voters

No person described in section 2866 shall vote in meetings of any territorial parish who is not a contributor to its support. [PL 1977, c. 255, §2 (AMD).]

SECTION HISTORY

PL 1977, c. 255, §2 (AMD).

ARTICLE 3

FINANCES

§2941. Authority to raise money

Every parish, at a legal meeting, may raise money for the support of the public ministry of religion, for building, repairing or removing houses of public worship and for other necessary parish charges.

§2942. Assessment on pews

When a house of public worship belongs to a parish, or it and the fee of the land on which it stands is vested in trustees for the use of a parish, such parish may assess any money raised wholly or partly, on the pews or seats, whether owned by members of such parish or religious society or not; and the owners may be present and vote in raising such money.

§2943. Payment of tax by sale of pews

When taxes on pews and seats remain unpaid for 6 months after their assessment, the treasurer shall sell them at auction, first posting notice thereof at the principal outer door of such house of worship, 3 weeks before the time of sale, stating the numbers, if any, of the pews or seats and the amount of tax on each; and shall execute and deliver a deed thereof to the purchaser, and pay to the owner the overplus, after deducting the amount of tax and incidental charges.

§2944. Notice of nonoccupancy by pew owner; rights

Whenever a parish or church raises its current expenses by assessment on its pews, a pew owner who does not occupy the owner's pew, either alone or with family, or rent the same, may give a written notice to the clerk of the parish or church, or to the parish committee or assessors, of the owner's intention not to occupy the pew for one year following the next annual meeting of the parish or church, in which case the pew owner is not liable for any tax assessed on the pew during that year, neither may the owner act and vote at the annual meeting unless the owner retains a pew for the occupancy of the owner and the owner's family, and the parish or church may let the pew during that year and appropriate the rent to the current expenses of the parish or church, and the parish or church may not sell the pew for taxes assessed during that year. [RR 2025, c. 1, Pt. E, §37 (COR).]

SECTION HISTORY

RR 2025, c. 1, Pt. E, §37 (COR).

ARTICLE 4

MISCELLANEOUS PROVISIONS

§2981. Territorial parishes continued

(REPEALED)

SECTION HISTORY

PL 1977, c. 255, §3 (RP).

§2982. Officers as corporations; organization and powers

The church wardens of Episcopal churches, the stewards or trustees of the United Methodist church and the deacons of all other Protestant churches are considered corporations as to take, in succession, all grants and gifts of real and personal estate made to their churches or to them and their successors. If the ministers, elders or vestry members are joined with them in such grants or gifts, the 2 classes of officers are considered corporations for that purpose. For the purpose of organizing any such corporation, one or more members of the corporation may call a meeting thereof by a notice posted upon the outer door of the meetinghouse or place of public worship of their parish or society at least 7 days before the time of holding such meeting; or, if there is no such meetinghouse or place of public worship, by a notice posted in 2 public and conspicuous places in the town wherein the parish or society is located. At such meeting the corporation may organize, adopt a corporate name and elect such officers as its bylaws prescribe. Said corporations are authorized to take by gift, purchase, bequest, demise or otherwise real and personal property for religious purposes, and may make such contracts in relation to such estate, its improvements, disposal, investment or reinvestment, as they may be authorized under the rules of their church or instructed by the church for which they hold estate in trust to make, and the contracts may be enforced by or against them as in other cases. A disposal of the estate may not be made inconsistent with the terms of the grant by which it is held. Trustees of the local United Methodist churches are created a corporation with all the rights and privileges of corporations, subject to the restrictions contained in the book of discipline of the United Methodist church. [RR 2025, c. 1, Pt. E, §38 (COR).]

SECTION HISTORY

PL 1969, c. 20, §§1,2 (AMD). PL 1975, c. 244 (AMD). RR 2025, c. 1, Pt. E, §38 (COR).

§2983. Ministers and officers of religious societies; powers

The ministers of a parish or religious society and the deacons, elders, trustees, stewards and other presiding officers of a religious society or church having by its usages no settled minister may take, in succession, any estate granted to the minister and the minister's successors, or for the use of the ministry or poor of the church; and may prosecute and defend all civil actions respecting it; but they may not so take, while the clear annual income of prior grants is $3,000. [RR 2025, c. 1, Pt. E, §39 (COR).]

SECTION HISTORY

RR 2025, c. 1, Pt. E, §39 (COR).

§2984. Conveyance of land

A conveyance of an estate as set forth in section 2983 by a minister may not be valid for longer than the minister is in the ministry; or by such deacons or other officers, for longer than they are in

office, if made by them without consent of the church or by church wardens without the consent of the vestry. [RR 2025, c. 1, Pt. E, §40 (COR).]

SECTION HISTORY

RR 2025, c. 1, Pt. E, §40 (COR).

§2985. Records open to inspection

The records of a parish shall be open to the inspection of its members and to clerks of other parishes. Each clerk shall furnish attested copies thereof, on request, for a reasonable compensation.

§2986. Trustees of Society of Friends to hold grants as corporations

The trustees of each monthly meeting of the Religious Society of Friends, or Quakers, are so far corporations as to take and hold, in succession, all grants and gifts of real, personal or mixed estate made to said meetings or to them, for the use of their monthly meetings, the preparative meetings constituting them or the poor thereof; to take and hold all grants and gifts of real, personal and mixed estate made to said monthly meetings or the trustees thereof for the use of quarterly meetings of said Religious Society of Friends, or Quakers, for their use or the use of the poor thereof. Said trustees shall hold, manage and convey all such estate according to the terms and conditions on which it was granted or given. They may sue in their names as such trustees for any right, title or interest to which said meetings or their trustees are entitled.

The annual income therefrom, to any one meeting, for the uses specified shall not exceed $5,000. These powers may be enlarged, restrained or repealed by the Legislature.

SUBCHAPTER 2

INDEPENDENT LOCAL CHURCHES

§3021. Incorporation

Any independent local church now existing, or that may hereafter be organized in the State, may be incorporated according to this section and sections 3022 to 3028.

§3022. Notice of meeting

When 3 or more members of the church who are voters according to section 3023 apply in writing to a notary public in the county for the purpose of incorporating the church, the notary shall issue a warrant addressed to one of the applicants, stating the time, place and purposes of the meeting and directing the applicant to notify the members of the church by posting a certified copy of the warrant in a conspicuous place near the main entrance to the usual place of meeting of the church and in one other public and conspicuous place in the same town, for 7 days, at least, prior to the meeting. [RR 2025, c. 1, Pt. E, §41 (COR).]

SECTION HISTORY

PL 1981, c. 456, §A44 (AMD). RR 2025, c. 1, Pt. E, §41 (COR).

§3023. Qualification of voters; organization

The resident members of such church 18 years of age and upward shall be voters at such meeting and in all meetings of the corporation. Such voters, assembled at the time and place notified, shall elect a moderator to preside over said meeting. They shall then, by ballot, proceed to vote upon the question whether the church will become incorporated. If 2/3 of the ballots cast shall be in favor of the church becoming incorporated, it shall thereupon become a body corporate with all the powers, rights and duties incident to corporations, with the right to take by gift, purchase, devise or bequest such personal and real property as may be useful for carrying on its local work, and may dispose of the same at

pleasure, have perpetual succession, a corporate seal and change the same at pleasure. [PL 1971, c. 598, §14 (AMD).]

SECTION HISTORY

PL 1969, c. 433, §17 (AMD). PL 1971, c. 598, §14 (AMD).

§3024. Election of officers

The resident members shall, by ballot, elect a clerk, treasurer, a board of trustees of not less than 3 members who are voters and such other officers as they may deem necessary. [PL 1973, c. 49, §1 (AMD).]

SECTION HISTORY

PL 1965, c. 159 (AMD). PL 1973, c. 49, §1 (AMD).

§3025. Filing of certificate; change of name; filing duty of the Secretary of State

1. Certificate. The clerk, treasurer and a majority of the board of trustees of every independent local church incorporated under sections 3021 to 3024 shall prepare, sign, date and deliver for filing with the Secretary of State a certificate of incorporation, in the format approved by the Secretary of State, setting forth the name of the church, the town or city where the church is located and the number and names of the members of its board of trustees. A filing fee of $5 must accompany the certificate. [PL 2003, c. 523, §9 (NEW).]

2. Change of certificate. The name of any incorporated church or any other provision in the certificate of incorporation filed under subsection 1 may be changed by vote in a legal meeting duly called for this purpose. The clerk or other duly authorized officer of the corporation shall prepare, sign, date and deliver for filing with the Secretary of State a certificate, in the format approved by the Secretary of State, setting forth the name of the church, the town or city where the church is located, the date and the nature of the change and a statement that a majority of the members or trustees authorized the change. A filing fee of $5 must accompany the certificate. [PL 2003, c. 523, §9 (NEW).]

3. Filing certificate. If a certificate delivered for filing with the Secretary of State pursuant to this section 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 document with an acknowledgement of the date of filing. [PL 2003, c. 523, §9 (NEW).]

SECTION HISTORY

PL 1973, c. 49, §2 (AMD). PL 1977, c. 696, §158 (AMD). PL 2003, c. 523, §9 (RPR).

§3026. Duties of officers; notice of meetings

An independent local church by its bylaws may prescribe the duties of the several officers and the manner of executing the same. When no provision is made by any vote or bylaw of the church for calling meetings, they shall be called by the board of trustees by posting notices of the time, place and purposes of said meeting, in the same manner and for the same time as is prescribed in section 3022. Meetings shall in the same manner, be called by said board, upon the written request of at least 6 members of the church qualified to vote. [PL 1973, c. 49, §3 (AMD).]

SECTION HISTORY

PL 1973, c. 49, §3 (AMD).

§3027. Church supporters may participate

An independent local church may by its bylaws extend to all persons not members of the church, who are 18 years of age and upward and who regularly contribute toward the expenses of the church, the right to attend and participate in the annual and special meetings of the church when action is to be taken relative to the use and appropriation of funds towards which they have contributed or toward which they have pledged contributions, and meetings called for the purpose of obtaining or dismissing a pastor. [PL 1971, c. 598, §15 (AMD).]

SECTION HISTORY

PL 1969, c. 433, §18 (AMD). PL 1971, c. 598, §15 (AMD).

§3028. Conveyance of trust property to church

The deacons of such church or any other person or persons holding real or personal estate in trust for the use of such church may convey such property to such incorporated church, and said church shall hold the same subject to the uses and trust under which it was held by such deacons and other person or persons.

§3029. Parish may convey property to church

Any parish or religious society connected with the church, which becomes incorporated, may at a meeting duly warned and called for such purpose by a 2/3 vote authorize one or more persons in its name and behalf to convey to such church any real or personal estate which it may hold for the use of such church, and such church shall thereafter hold such property to the same uses and trusts as when held by such parish or society.

SUBCHAPTER 3

PROTECTION OF PROPERTY

§3061. Sale of property wasting for lack of custody

Where any property in the State, dedicated and ordained for pious uses, has no proper or legal custodian, so that it is becoming wasted and the utility thereof is lost, upon the application of any person or patriotic or religious society interested in having such property preserved and applied to the uses for which it was originally intended, or for some public or patriotic purpose, the Attorney General shall file a complaint seeking equitable relief, in the nature of an information, against such property and all persons interested therein, praying for the appointment of trustees to care for such property and for the proper application and disposal thereof, and the court may order such notice as seems proper, and may appoint receivers or trustees therefor, and upon final decree, may order the care, custody, sale, application or disposal of such property as will best serve the purposes for which it was originally intended, or some public or patriotic purpose. The court may convey or transfer such property to any religious or patriotic body, to be held and applied for the purposes of such trust as the court may declare, and it shall have power to treat, care for and dispose of the same in furtherance of such pious, public or patriotic uses as may seem best suited to the case and situation.

§3062. Transfer of certain trust funds

(REPEALED)

SECTION HISTORY

PL 2001, c. 550, §C2 (RP). PL 2001, c. 550, §C29 (AFF).

SUBCHAPTER 4

MEETINGHOUSES

§3101. Parish may become owner of pews; proceedings

When it is deemed expedient by any organized parish or incorporated church to become the owner of the pews in any meetinghouse used by it as a place of regular worship, a meeting of the owners and occupants thereof may be called, as provided in section 2903, and a majority of such pew owners and occupants may vote to convey the pews by them owned or occupied to such parish or incorporated church. If the owners or occupants of any of the pews in such meetinghouse are unknown to the assessors they shall give notice, additional to that provided, by publishing the call for such meeting in some newspaper published in the county where such meetinghouse is located at least 7 days before the time appointed for such meeting.

§3102. Dissenting pew owners; proceedings

An owner or occupant of a pew in a meetinghouse who expresses dissent from a vote pursuant to section 3101 in writing to the clerk of the parish or incorporated church within one month from the time of holding a meeting must have the owner's or occupant's pew appraised, as provided in section 3105, and the appraised value must be tendered to the owner or occupant in satisfaction of the owner's or occupant's claim for compensation and the owner or occupant shall then deliver a deed of the pew to the parish or incorporated church. If such dissent is not so expressed, the pew must be forever forfeited to the parish or incorporated church. [RR 2025, c. 1, Pt. E, §42 (COR).]

SECTION HISTORY

RR 2025, c. 1, Pt. E, §42 (COR).

§3103. Incorporation

Any persons, for the purpose of erecting a meetinghouse, or the majority in interest of the owners of a meetinghouse, not a parish, may incorporate themselves as parishes may, and choose all officers and do all other acts that a parish may lawfully do.

§3104. Repairs; disposal; notice of meeting

A majority of the pew owners or proprietors of a meetinghouse, present at a legal meeting called for that purpose, may repair, remodel or sell and convey their house or the land used with it, or remove or rebuild it. Any meeting relating thereto may be called as provided in section 3107, or by publishing the warrant in a newspaper printed in the county, at least 14 days before the meeting.

§3105. Conduct of alteration or sale

Before such alteration or sale is made, an appraisal of the relative value of the pews shall be made by 3 discreet persons, under oath, to be elected by ballot at a legal meeting of said owners or proprietors. If a sale of said house and land is made, it may be private or public, as such meeting determines, and the proceeds shall be applied to pay the expenses of said sale and the debts and just claims against the property. The balance shall be paid to the pew owners or proprietors in proportion to their interests by the appraisal. If the meetinghouse is altered or rebuilt, the appraisers, after the work is completed, shall assign pews to the former pew holders to conform as nearly as practicable to those previously held by them. The other pews may be sold to defray the expenses of the repairs and alterations or be otherwise disposed of as the proprietors or pew owners determine. They may choose officers, raise and assess taxes on the pews, collect them for making such repairs and alterations, do all things that a parish may do, and appoint some suitable agent or agents to make such sale and conveyance or repairs and alterations, and a treasurer or trustees to receive and distribute the proceeds of sale in manner provided.

§3106. Dissenting proprietors; value of interest; limitation and forfeiture

When it is decided to repair, remodel or rebuild a meetinghouse, any owner or proprietor dissenting from the action of the majority and declining to take an interest in the house as altered may demand and receive of the majority the appraised value of that owner's or proprietor's interest after deducting the owner's or proprietor's proportion of debts against the property, to be recovered in a civil action, which may not be commenced until 30 days after the demand, nor after the lapse of a year after notice is posted for 3 successive weeks on the meetinghouse door and some other conspicuous place in its precinct, stating the persons to whom the money is to be paid, the amount payable to each and the time limited for payment. If the sums are not demanded within that time, they are forfeited to the majority for parish uses. This section does not apply to any case in which the repairs decided upon are only such as are necessary to keep the meetinghouse in a tenantable condition. [RR 2025, c. 1, Pt. E, §43 (COR).]

SECTION HISTORY

RR 2025, c. 1, Pt. E, §43 (COR).

§3107. Owners may incorporate

The owners of a meetinghouse or building for public worship and the pew owners may be incorporated when any 3 or more of them apply to be incorporated to a notary public, who shall issue a warrant to one of them, stating the time, place and purpose of the meeting, and directing that person to notify the owners by posting a certified copy of it for 14 days on the principal outer door of the building and in one or more public places in the same town. [RR 2025, c. 1, Pt. E, §44 (COR).]

SECTION HISTORY

PL 1981, c. 456, §A45 (AMD). RR 2025, c. 1, Pt. E, §44 (COR).

§3108. -- proceedings

When assembled as provided for in section 3107, the owners of the building and pew owners may choose a moderator and clerk, who shall perform the usual duties of such officers. Thereupon said owners shall be a corporation and be known by such name as they adopt, and they may agree on the mode of calling future meetings.

§3109. Corporate rights and powers

Any meetinghouse corporation, by a major vote of its members, may use and control the meetinghouse or building for public worship partly or wholly owned by them, as they please. Nothing in this section and sections 3107 and 3108 shall affect the rights of owners of houses of worship, built by different religious denominations.

§3110. Meetings of owners

When there has not been a meeting of the incorporated pew owners or proprietors or owners of a meetinghouse or building for public worship for 3 years, a meeting may be called on application of 3 or more members thereof to a notary public, who shall issue a warrant to one of them stating the time, place and purposes of the meeting, directing the member to notify the meeting by posting a certified copy of the warrant, 3 weeks before the time of meeting, on the principal outer door of the building and in one or more public places in the same town and publishing it in a newspaper published in the county, if any, otherwise in an adjoining county or in the state paper. [RR 2025, c. 1, Pt. E, §45 (COR).]

SECTION HISTORY

PL 1981, c. 456, §A46 (AMD). RR 2025, c. 1, Pt. E, §45 (COR).

§3111. Different denomination; division of time

When a house of public worship is owned by persons of different denominations and when an organized society, or its members, own 5 pews therein, one or more of the minority owning not less

than 5 pews may apply to a justice of the peace to obtain a division of the time of occupying the house. The justice of the peace shall call a meeting of the owners by posting a notice in a public place in or about the house, 30 days at least before the meeting, stating the time, place and object of the meeting. [RR 2025, c. 1, Pt. E, §46 (COR).]

SECTION HISTORY

PL 1981, c. 456, §A47 (AMD). PL 1987, c. 736, §11 (AMD). RR 2025, c. 1, Pt. E, §46 (COR).

§3112. Mode of proceeding

At a meeting called under section 3111, the owners, who are not applicants, or if they refuse or neglect, the notary who called the meeting may designate another notary, and the 2 may appoint a 3rd disinterested person, not an inhabitant of the town in which the house is located, or belonging to the denomination of either party interested. The 3 shall be a board, before which the owners may exhibit the amount that they own in the house. The minority, owning at least 5 pews, shall have their part allotted to them, as nearly as may be, in proportion to the amount that they own in the house. The board shall designate which weeks in each year the minority, if they please, may occupy the house; if they do not, the majority may occupy it. [PL 1981, c. 456, Pt. A, §48 (AMD).]

SECTION HISTORY

PL 1981, c. 456, §A48 (AMD).

§3113. Proportion of minority appraised

The board shall appraise the value of the minority's proportion of the house, make a record of their proceedings, and within 10 days cause it to be transcribed into the records of such town.

§3114. Expenses

All their reasonable expenses shall be paid by the persons who requested the division; but the above provisions shall not affect any agreement now in force as to the mode of occupying such house.

§3115. Minority may occupy their share of time unless majority purchases

The minority may occupy the house for their allotted time, unless the majority purchase their interest by paying the minority the sum at which it was appraised by the board; but if the minority decline so to sell, they shall not avail themselves of sections 3111 to 3114.

SUBCHAPTER 5

MINISTERIAL AND SCHOOL LANDS

§3161. Fee in ministerial and school land in existing towns

Where lands have been granted or reserved for the use of the ministry or first settled minister, or for the use of schools, in any town incorporated and in existence on January 1, 1973, and the fee in these lands has not vested in some particular parish therein or in some individual, it shall vest in the inhabitants of such town and not in any particular parish therein for such uses. The inhabitants of any such town shall hold and enjoy said public reserved lands subject to the control of and subject to responsibilities imposed by the State. [PL 1973, c. 628, §4 (AMD).]

SECTION HISTORY

PL 1973, c. 628, §4 (AMD).

§3162. Trustees

The municipal officers, town clerk and treasurer of each town where no other trustees are lawfully appointed for that purpose shall be a corporation and trustees of such ministerial and school funds, with the usual powers granted to similar corporations.

§3163. Officers

The corporation shall annually elect a president, clerk and treasurer. The treasurer shall give bond with sureties sufficient in the opinion of the trustees for the faithful discharge of the treasurer's duty. The clerk must be sworn. [RR 2025, c. 1, Pt. E, §47 (COR).]

SECTION HISTORY

RR 2025, c. 1, Pt. E, §47 (COR).

§3164. Powers

(REPEALED)

SECTION HISTORY

PL 1973, c. 628, §§4-A (RP).

§3165. Investment of funds

As soon as may be the corporation shall invest the proceeds of sale in the manner provided in Title 30-A, chapter 223, subchapter III-A. [PL 1987, c. 737, Pt. C, §§26, 106 (AMD); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §8, 10 (AMD).]

SECTION HISTORY

PL 1987, c. 737, §§C26,C106 (AMD). PL 1989, c. 6 (AMD). PL 1989, c. 9, §2 (AMD). PL 1989, c. 104, §§C8,C10 (AMD).

§3166. Trustees may hold for use of ministry and schools

The corporation may, by gift, grant or otherwise, take and hold for the use of the ministry in their towns, real and personal estate, the annual income of which does not exceed $1,000; and for the use of schools may take and hold estate, the annual income of which does not exceed the sum which their town is bound to raise for the same use.

§3167. Income to support schools

All income derived from the ministerial and school lands, and from the rents and profits of real and personal estate held under section 3166, shall be annually applied to the support of public schools in the town or the schooling of resident students and expended like other school money. [PL 1987, c. 402, Pt. A, §100 (RPR).]

A municipality that has land that continues to generate an income may expend up to 20% of the ministerial fund every 5 years in accordance with this subchapter. [PL 1997, c. 57, §1 (NEW).]

SECTION HISTORY

PL 1973, c. 628, §5 (AMD). PL 1985, c. 774, §2 (AMD). PL 1985, c. 797, §4 (AMD). PL 1987, c. 402, §A100 (RPR). PL 1997, c. 57, §1 (AMD).

§3167-A. Expenditure of ministerial funds

A municipality may expend funds held in its ministerial trust for school construction or renovation if the expenditure is approved by the voters of the municipality at an election. [PL 1999, c. 731, Pt. YY, §1 (NEW); PL 1999, c. 789, §1 (NEW).]

SECTION HISTORY

PL 1999, c. 731, §YY1 (NEW). PL 1999, c. 789, §1 (NEW).

§3168. Transfer of funds by trustees

The trustees of any ministerial or school fund in this State, incorporated by the legislature of Massachusetts may, by the consent of the town for whose use the fund was established, transfer it to the municipal officers, clerk and treasurer thereof, who are made trustees of the same. The income shall be annually applied and expended as provided in section 3167.

§3169. Administration of ministerial and school funds

The ministerial and school funds now held in trust by any town or by a corporation existing under section 3162 may be turned over to the Treasurer of State to be administered in accordance with the terms and provisions of such trust and those funds must be invested by the Treasurer of State in the same manner as provided for investments in securities enumerated in Title 9-B, chapter 55-A. Such town or corporation thereupon is relieved of any further duties or liabilities for such funds, provided such town, acting under an appropriate article in the warrant at any annual town meeting, votes to cause such funds to be entrusted to the Treasurer of State. [PL 1991, c. 824, Pt. A, §22 (AMD).]

SECTION HISTORY

PL 1967, c. 494, §15 (AMD). PL 1971, c. 544, §42 (AMD). PL 1977, c. 78, §109 (AMD). PL 1991, c. 824, §A22 (AMD).

§3170. Annual accounting

At each annual meeting of their town, the trustees shall exhibit an account of their proceedings and a statement of the funds, receipts and expenditures and of the application thereof to said uses.

§3171. Trustees of parish lands

When ministerial lands are vested in a parish, the assessors, clerk and treasurer, where no other trustees are appointed for that purpose, shall be a corporation and trustees of such ministerial fund with like powers and under like liabilities as the municipal officers, town clerk and treasurer; pay the annual income of such lands and of the proceeds of their sale according to the terms of the grants and reservations by which they were so vested; and at each annual meeting for choice of parish officers, exhibit an account of their proceedings and a statement of funds, receipts and expenditures.

§3172. First meeting of trustees

The first meeting in any year of the trustees constituted by sections 3162 and 3171 may be called by 7 days' personal notice of the time and place thereof, given by one of them to all the others.

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