

MAINE STATE LEGISLATURE

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CHAPTER 15
ANNUAL RETURNS

Sec.

- 501. Contents; filing.
- 502. Deposit in post office sufficient; neglect or refusal.
- 503. Action of debt to collect penalty.
- 504. Discontinuance of action.
- 505. Filing excused.

§ 501. Contents; filing

Every corporation incorporated under the laws of this State, excepting religious, charitable, educational and benevolent corporations, and excepting such corporations as may be organized under chapter 81 and Title 27, chapter 7, and such corporations as are liable to a franchise tax other than the tax provided for in Title 36, section 2401, and such corporations as have been or may hereafter be excused from filing annual returns under section 505 so long as their franchises remain unused shall, on or before the first day of June, annually, make a return to the Secretary of State, signed by its president or treasurer, verified under oath, containing the names of its directors, president, treasurer and clerk, with the residence of each, the location of its principal office in this State and the amount of its authorized capital stock. For this purpose the Secretary of State shall furnish blanks in proper form and safely keep in his office all such returns.

R.S.1954, c. 53, § 41; 1955, c. 405, § 33.

§ 502. Deposit in post office sufficient; neglect or refusal

A deposit of the return required in section 501 in a post office, postage paid, properly directed, is a compliance therewith. For the neglect or refusal of its officer to make such return, the corporation forfeits \$500, to be recovered in a civil action, to be prosecuted in the name of the State by the Attorney General.

R.S.1954, c. 53, § 42; 1961, c. 317, § 139.

§ 503. Action of debt to collect penalty

Whenever any corporation or its officers neglect to make to the Secretary of State any return required by law, the Secretary of State shall forthwith notify the Attorney General, who shall

proceed at once, by action in the name of the State, to enforce the penalties therefor and shall make itemized return thereof in his annual report. The Secretary of State, on or before the first day of July, annually, shall furnish the Attorney General with a statement showing which of said corporations, if any, have failed to comply with section 502, with such other memoranda from his office as will aid the Attorney General in obtaining service upon such delinquent corporation. In addition to said penalties, the following costs shall be recovered in behalf of the State against said corporation, to wit: For the Attorney General, for the summons, an attorney fee and travel and attendance at court not exceeding 2 terms; and for the State, such other costs as are legally taxable in civil actions. Such action may be brought in any county.

R.S.1954, c. 53, § 43; 1961, c. 317, § 140.

§ 504. Discontinuance of action

If within 30 days from the commencement of an action under section 503 such corporation makes to the Secretary of State the returns required by law, he shall forthwith notify the Attorney General, who shall discontinue such action upon payment of the costs already accrued.

R.S.1954, c. 53, § 44; 1963, c. 414, § 30.

§ 505. Filing excused

The Attorney General, upon application by any corporation and satisfactory proof that it has ceased to transact business and that it is not indebted to the State on account of franchise taxes, shall file a certificate of the fact with the Secretary of State and shall give a duplicate certificate to the corporation. Thereupon such corporation shall be excused from filing annual returns with the Secretary of State.

R.S.1954, c. 53, § 45.