

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 1171

H. P. 910

House of Representatives, March 4, 1969

Referred to Committee on State Government. Sent up for concurrence and 1,000 ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Susi of Pittsfield.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-NINE

AN ACT Increasing Certain Fees for the Secretary of State's Office.

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

Sec. 1. R. S., T. 5, § 86, amended. The 3rd paragraph of section 86 of Title 5 of the Revised Statutes is amended to read as follows:

For filing and recording a certificate of trademark, ~~\$3~~ \$10; for recording assignment of trademark rights, ~~\$1~~ \$5; for the certificate of the record of a label, trademark, device or form of advertisement adopted any association or union of workingmen, \$2.

Sec. 2. R. S., T. 5, § 87, amended. Section 97 of Title 5 of the Revised Statutes is amended to read as follows:

§ 87. Fees payable by public officers

A fee of ~~\$5~~ \$10 shall be paid to the Secretary of State by any person appointed to the office of justice of the peace, notary public, commissioner to take depositions and disclosures, disclosure commissioner and commissioner appointed under Title 33, section 251, before such person enters upon the discharge of his official duties.

Sec. 3. R. S., T. 11, § 9-403, sub-§ (5), amended. Subsection (5) of section 9-403 of Title 11 of the Revised Statutes is amended to read as follows:

(5) The fee for filing, indexing and furnishing filing data for an original or a continuation statement or any amendment thereof shall be \$3 ~~unless on a form conforming to standards prescribed by the Secretary of State in which case the fee shall be \$2.~~

Sec. 4. R. S., T. 11, § 9-404, sub-§ (1), amended. The 3rd sentence of subsection (1) of section 9-404 of Title 11 of the Revised Statutes is amended to read as follows:

The fee for filing and indexing such an assignment or statement thereof shall be \$3 ~~unless on a form conforming to standards prescribed by the Secretary of State in which case the fee shall be \$2.~~

Sec. 5. R. S., T. 11, § 9-404, sub-§ (3), amended. Subsection (3) of section 9-404 of Title 11 of the Revised Statutes is amended to read as follows:

(3) The fee for filing and indexing a termination statement including sending or delivering the financing statement shall be \$2 ~~unless on a form conforming to standards prescribed by the Secretary of State in which case the fee shall be \$1.~~

Sec. 6. R. S., T. 11, § 9-405, sub-§ (1), amended. The last sentence of subsection (1) of section 9-405 of Title 11 of the Revised Statutes is amended to read as follows:

The uniform fee for filing, indexing and furnishing filing data for a financing statement, or any amendment thereof, so indicating an assignment shall be \$3 ~~unless on a form conforming to standards prescribed by the Secretary of State in which case the fee shall be \$2.~~

Sec. 7. R. S., T. 11, § 9-405, sub-§ (2), amended. The last sentence of subsection (2) of section 9-405 of Title 11 of the Revised Statutes is amended to read as follows:

The uniform fee for filing, indexing and furnishing filing data about such a separate statement of assignment shall be \$3 ~~unless on a form conforming to standards prescribed by the Secretary of State in which case the fee shall be \$2.~~

Sec. 8. R. S., T. 11, § 9-406, amended. The last sentence of section 9-406 of Title 11 of the Revised Statutes is amended to read as follows:

The fee for filing and noting such a statement of release shall be \$3 ~~unless on a form conforming to standards prescribed by the Secretary of State in which case the fee shall be \$2.~~

Sec. 9. R. S., T. 13, § 595, amended. Section 595 of Title 13 of the Revised Statutes is amended by adding after the 2nd sentence, 2 new sentences, as follows:

A fee of \$10 shall be paid for filing amendments to the charter or certificate of incorporation. A fee of \$20 shall be paid for filing copies of merger between 2 or more foreign corporations.

Sec. 10. R. S., T. 13, § 903, amended. The last sentence of section 903 of Title 13 of the Revised Statutes is amended to read as follows:

No fee shall be required by the Attorney General ~~or~~ **but the Secretary of State shall receive for filing such certificate a fee of \$5, and registers of deeds shall receive for recording such certificate the fee of \$2.**

Sec. 11. R. S., T. 13, § 931, amended. Section 931 of Title 13 of the Revised Statutes is amended by adding after the 3rd sentence, a new sentence, as follows:

A fee of \$5 shall accompany the certificate.

Sec. 12. R. S., T. 13, § 933, amended. Section 933 of Title 13 of the Revised Statutes is amended by adding at the end, a new sentence, as follows:

A fee of \$5 shall accompany the certificate.

Sec. 13. R. S., T. 13, § 934, amended. Section 934 of Title 13 of the Revised Statutes is amended to read as follows:

§ 934. Change of purpose

Any corporation organized without capital stock may change its purposes at a legal meeting of its directors, trustees or managing board, however designated, in the manner, with the effect and subject to the provisions contained in section 201 ~~except that no fee shall be charged.~~ **The Secretary of State shall be paid a fee of \$5 for filing a change of purpose.**

Sec. 14. R. S., T. 13, § 961, amended. Section 961 of Title 13 of the Revised Statutes is amended by adding at the end, a new sentence, as follows:

A fee of \$5 shall be paid to the Secretary of State for the filing of the agreement of consolidation.

Sec. 15. R. S., T. 19, § 121, amended. Section 121 of Title 19 of the Revised Statutes is amended by adding after the 4th sentence, a new sentence, as follows:

The applicant shall pay a license fee of \$5.

STATEMENT OF FACTS

The foregoing increases should produce the following increase in revenue:

Total increased revenue possible:	
Trade mark law	\$ 500
Foreign corporations	1,220
Domestic nonstock corporations:	1,125
Notaries/justices, etc.	18,140
Ministers fees	1,200
Uniform commercial code	20,954
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Total	\$43,139