

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Second Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
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STATE OF MAINE
AS PASSED BY THE
One Hundred and Second Legislature
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'The stockholders shall elect a clerk at the first meeting held by the incorporators and at each annual meeting thereafter, who shall be sworn to the proper discharge of his duties and hold office until his successor is elected and qualified.'

Sec. 2. R. S., T. 9, § 1041, amended. The 3rd sentence from the end of section 1041 of Title 9 of the Revised Statutes is amended to read as follows:

'The board of directors shall elect a president from its number, a ~~clerk who shall be sworn to the faithful performance of his duties~~ secretary, a treasurer and such other officers as they may deem necessary, who shall be sworn to the faithful performance of their duties.'

Effective September 3, 1965

Chapter 114

AN ACT Relating to Definition of "Storage" and "Use" in Sales and Use Tax Law.

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

R. S., T. 36, § 1752, sub-§ 16, amended. Subsection 16 of section 1752 of Title 36 of the Revised Statutes is amended to read as follows:

'16. Storage or use. "Storage" or "use" does not include keeping or retention or the exercise of power over tangible personal property brought into this State for the purpose of subsequently transporting it outside the State for use by the purchaser thereafter solely outside the State, or for the purpose of being processed, fabricated or manufactured into, attached to or incorporated into, other tangible personal property to be transported outside the State and thereafter used by the purchaser solely outside the State.'

Effective September 3, 1965

Chapter 115

AN ACT Relating to Certain Fees of Registers of Deeds.

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

R. S., T. 36, § 1281, amended. The last sentence of section 1281 of Title 36 of the Revised Statutes is amended to read as follows:

'The costs to be charged by the register of deeds for such filing shall not exceed ~~50¢~~ \$1.'

Effective September 3, 1965

Chapter 116

AN ACT Relating to Publication of Foreclosure Notices.

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

R. S., T. 14, § 6203, sub-§ 1, amended. Subsection 1 of section 6203 of Title 14 of the Revised Statutes is amended to read as follows:

'1. **Public notice.** He may give public notice in a newspaper ~~published and printed in whole or in part~~ having its principal place of business in the county where the premises are situated, if any, or if not, in the state paper, 3 weeks successively, of his claim by mortgage on such real estate, describing the premises intelligibly and naming the date of the mortgage and that the condition in it is broken, by reason whereof he claims a foreclosure; and cause a copy of such printed notice, and the name and date of the newspaper in which it was last published, to be recorded in each registry in which the mortgage deed is or by law ought to be recorded, within 30 days after such last publication.'

Effective September 3, 1965

Chapter 117

AN ACT Relating to Religious Confessionals as Privileged Communications.

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

R. S., T. 16, §§ 57 and 58, additional. Title 16 of the Revised Statutes is amended by adding 2 new sections to be numbered 57 and 58 to read as follows:

§ 57. Privileged communications; clergymen

1. Definitions. As used in this section:

A. "Clergyman" means a priest, rabbi, clergyman, minister of the gospel or other officer of a church or of a religious denomination or organization, who in the course of its discipline or practice is authorized or accustomed to hear, and has a duty to keep secret, penitential communications made by members of his church, denomination or organization;

B. "Penitent" means a member of a church or religious denomination or organization who has made a penitential communication to a clergyman thereof;

C. "Penitential communication" means a confession of culpable conduct made secretly and in confidence by a penitent to a clergyman in the course of the discipline or practice of the church or religious denomination or organization of which the penitent is a member.

2. **Privilege.** A person, whether or not a party, has a privilege to refuse to disclose, and to prevent a witness from disclosing, a communication if he claims the privilege and the judge finds that the communication was a penitential communication, and the witness is the penitent or the clergyman, and the claimant is the penitent, or the clergyman making the claim on behalf of an absent penitent.

§ 58. Exception

A person who would otherwise have a privilege, under section 57, to refuse to disclose or to prevent another from disclosing a specified matter has no such privilege with respect to that matter if the judge finds that he or any other person while the holder of the privilege has agreed with anyone not to claim the privilege or, without coercion and with knowledge of his privilege, made disclosure of any part of the matter or consented to such a disclosure made by anyone.'

Effective September 3, 1965