

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Third Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Second Legislature
AT THE
SPECIAL SESSION
January 17 - February 9, 1966

Sec. 2. Application. Nothing in this Act shall be construed as invalidating any exercise of the power of eminent domain under Title 30, section 4656, as it existed prior to the effective date of this Act, and all proceedings for the exercise of the power of eminent domain which were instituted prior to the effective date of this Act shall be valid and may, at the election of the authority, be pursued to their conclusion under section 4656 as it existed prior to the effective date of this Act.

Effective May 11, 1966

Chapter 470

AN ACT to Authorize the Department of Health and Welfare to Collect Fees for Services.

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

R. S., T. 22, § 9, additional. Title 22 of the Revised Statutes is amended by adding a new section 9, to read as follows:

‘§ 9. Fees for services

The department is authorized to charge reasonable fees for any services provided under this Title if, in the opinion of the commissioner, the recipient of such services has sufficient resources to pay for same. Any fees thus received shall constitute a permanent fund for use by the department as special revenue income and shall be used to defray the expenses of the services charged for and shall not become a part of the General Fund.’

Effective May 11, 1966

Chapter 471

AN ACT to Revise the Maine Industrial Building Authority Law.

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

Sec. 1. R. S., T. 10, § 703, sub-§ 1, amended. Subsection 1 of section 703 of Title 10 of the Revised Statutes, as amended by section 2 of chapter 142 of the public laws of 1965, is further amended to read as follows:

‘1. Cost of project. “Cost of project” shall mean the cost or fair market value of real estate improvements, lands, **new machinery and equipment including installation thereof, used machinery and equipment,** property rights, easement, franchises, financing charges, interest, engineering and legal services, plans, specifications, surveys, cost estimates, studies and other expenses as may be necessary or incident to the development, construction, financing and placing in operation of an industrial project.’

Sec. 2. R. S., T. 10, § 703, sub-§ 3, ¶ A, amended. Paragraph A of subsection 3 of section 703 of Title 10 of the Revised Statutes is amended to read as follows:

'A. Any building or other real estate improvement and, if a part thereof, the land upon which they may be located, and all real properties and machinery and equipment deemed necessary to their use by any industry for the manufacturing, processing or assembling of raw materials or manufactured products and for the purposes of research and development for industrial and manufacturing enterprises;'

Sec. 3. R. S., T. 10, § 703, sub-§ 6, amended. Subsection 6 of section 703 of Title 10 of the Revised Statutes is amended to read as follows:

'6. Mortgage. "Mortgage" shall mean a mortgage on an industrial project and the term "first mortgage" means such classes of first liens as are commonly given to secure advances on, or the unpaid purchase price of, real estate or personal property under the laws of the State of Maine, together with the credit instruments if any, secured thereby.'

Sec. 4. R. S., T. 10, § 751, amended. The last paragraph of section 751 of Title 10 of the Revised Statutes is amended to read as follows:

'No member of the authority shall participate in any decision involving insurance of payments on a loan to a local development corporation if said member has any interest in or connection with said local development corporation or any firm, partnership, corporation or association which intends to rent, lease or otherwise occupy use the property securing said loan.'

Sec. 5. R. S., T. 10, § 803, amended. The first paragraph of section 803 of Title 10 of the Revised Statutes is amended to read as follows:

'The authority is authorized upon application of the proposed mortgagee to insure mortgage payments required by a first mortgage on any industrial project, upon such terms and conditions as the authority may prescribe, provided the aggregate amount of principal obligations of all mortgages so insured outstanding at any one time shall not exceed the amount set forth in the Constitution of Maine, Article IX, section 14-A, as it may be from time to time amended \$40,000,000. To be eligible for insurance under this chapter a mortgage shall:'

Sec. 6. R. S., T. 10, § 803, sub-§ 2, repealed and replaced. Subsection 2 of section 803 of Title 10 of the Revised Statutes is repealed and the following enacted in place thereof:

'2. Principal obligation; limit. Involve a principal obligation not to exceed \$8,000,000 for any one project and not to exceed the sum of 90% of the cost of the project related to real estate and 75% of the cost of the project related to machinery and equipment;'

Sec. 7. R. S., T. 10, § 803, sub-§ 3, amended. Subsection 3 of section 803 of Title 10 of the Revised Statutes is amended to read as follows:

'3. Maturity; limit. Have a maturity satisfactory to the authority but in no case later than 25 years from the date of the insurance on real estate mortgages and 10 years from the date of insurance on chattel securities;'

Sec. 8. R. S., T. 10, § 808, amended. Section 808 of Title 10 of the Revised Statutes is amended to read as follows:

§ 808. Local development corporations

When a local development corporation does not meet mortgage payments insured by the authority by reason of ~~vacancy~~ **default under the terms of the lease** of its industrial project, the authority, for the purpose of maintaining income from industrial projects on which mortgage loans have been insured by the authority and for the purpose of safeguarding the mortgage insurance fund, may grant the local development corporation permission to lease or rent the property to a responsible **lessee or tenant** for a use other than that specified in section 703, subsection 3, such lease or rental to be temporary in nature and subject to such conditions as the authority may prescribe.'

Sec. 9. R. S., T. 10, § 852, amended. Section 852 of Title 10 of the Revised Statutes is amended to read as follows:

§ 852. Records confidential

No member of the authority, agent or employee thereof shall divulge or disclose any information obtained from the records and files or by virtue of such person's office concerning the name of any **lessee or tenant** or information supplied by any **lessee, tenant, mortgagee or local development corporation** in support of an application for mortgage insurance. Annual returns filed with the authority by a mortgagee, **lessee, tenant or local development corporation** shall be privileged and confidential.'

Effective May 11, 1966

Chapter 472

AN ACT to Clarify Clerical Assistance for Justices of the Superior Court.

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

Sec. 1. R. S., T. 4, § 102, amended. The last sentence of section 102 of Title 4 of the Revised Statutes, as amended by section 1 of chapter 418 and by section 2 of chapter 437, both of the public laws of 1965, is repealed and the following enacted in place thereof:

'Section 4, relating to reimbursement of Justices of the Supreme Judicial Court for expenses incurred by them, shall apply to Justices of the Superior Court, including reimbursement for expenses incurred in employing clerical assistance but which in the aggregate shall not exceed a total sum of \$10,000 per year for all such clerical assistance.'

Sec. 2. Effective date. This Act shall become effective July 1, 1966.

Effective July 1, 1966