

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 Third Legislature
1967

Chapter 345

AN ACT Relating to Municipal Financing of Industrial and Recreational Projects.

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

Sec. 1. R. S., T. 30, § 5325, sub-§ 8, amended. Subsection 8 of section 5325 of Title 30 of the Revised Statutes, as enacted by section 1 of chapter 423 of the public laws of 1965 is amended by adding a new paragraph A, to read as follows:

A. Except as otherwise provided in this chapter, the powers of a municipality hereunder may be exercised by or under the direction of its municipal officers.

Sec. 2. R. S., T. 30, § 5325, sub-§ 9, additional. Section 5325 of Title 30 of the Revised Statutes, as enacted by section 1 of chapter 423 of the public laws of 1965 is amended by adding a new subsection 9, as follows:

9. Applicability. Title 14, section 6010 shall not apply to leases made hereunder. Leases made hereunder may provide that obligations of the lessees shall be unconditional.

Sec. 3. R. S., T. 30, § 5332, amended. Section 5332 of Title 30 of the Revised Statutes, as enacted by section 1 of chapter 423 of the public laws of 1965, is amended by inserting after the second paragraph a new paragraph to read as follows:

A trust agreement containing a mortgage hereunder may authorize the trustee, in the event of a default as defined, to take possession of all or any part of the mortgaged property, to hold, operate and manage the same, and, with or without such taking of possession, to sell or from time to time to lease the same. A judgment for such possession may be without conditions, and such a sale or lease shall not be subject to any right to redeem the mortgaged property. Upon satisfaction at any time of the obligations secured by the mortgage, which shall be deemed to include all applicable fees and expenses, any surplus proceeds from such operation, sale or lease shall be paid to the mortgagor or to those claiming under the mortgagor and, subject to any sale or lease under this paragraph, the mortgaged property shall revert or be returned to the mortgagor or to those claiming under the mortgagor. To the extent provided in an applicable lease, a lessee of a project may be entitled to the rights of the mortgagor under this paragraph.

Sec. 4. R. S., T. 30, § 5342, amended. Section 5342 of Title 30 of the Revised Statutes, as enacted by section 1 of chapter 423 of the public laws of 1965, is amended to read as follows:

§ 5342. Liberal construction

This chapter, being necessary for the welfare of the municipalities and their inhabitants, shall be liberally construed to effect the purposes thereof. **To the extent of any conflict between this chapter and any other law, this chapter shall prevail.**

Sec. 5. R. S., T. 30, § 5340-A, additional. Title 30 of the Revised Statutes is amended by adding a new section 5340-A, to read as follows:

§ 5340-A. Records confidential

No member of the board, 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 applicant, lessee or tenant or information supplied by any applicant, lessee, tenant, mortgagee, financial institution, municipality or local development corporation in support of an application proposing to issue revenue-obligation securities.

Sec. 6. Provisions deemed declaratory of existing law. Sections 1, 2 and 4 of this Act shall be deemed declaratory of existing law.

Effective October 7, 1967

Chapter 346

AN ACT Relating to Suspensions Ordered by the Hearing Commissioner.

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

R. S., T. 5, § 2407, sub-§ 2, amended. Subsection 2 of section 2407 of Title 5 of the Revised Statutes is amended by adding at the end thereof, a new sentence to read as follows:

There shall be no suspension ordered by the Hearing Commissioner until a date at least 2 weeks after the date of the notification of the decision and order, and if the aggrieved party, during the 2-week period, shall appeal the Hearing Commissioner's decision to the Superior Court, then no suspension shall take effect until after hearing by the said Superior Court.

Effective October 7, 1967

Chapter 347

AN ACT Relating to Eligibility for Office of Bank Commissioner.

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

R. S., T. 9, § 1, amended. The 2nd sentence of section 1 of Title 9 of the Revised Statutes is amended to read as follows:

No person shall be eligible for said office unless he shall have had at the time of his appointment at least 7 years practical experience in one or more of the following capacities, as an executive officer ~~director or trustee of a bank or loan and building association doing business in Maine~~ savings and loan association, a trust company, a mutual savings bank or a national bank located in this or another state, or as an employee in the banking department of this or some other state, or as an employee of a federal examining authority charged with examining financial institutions.

Effective October 7, 1967