

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Sixth Legislature
1ST SPECIAL SESSION
JANUARY 2, 1974 TO MARCH 29, 1974
AND BY THE
One Hundred and Seventh Legislature
REGULAR SESSION
JANUARY 1, 1975 TO JULY 2, 1975

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH THE REVISED STATUTES OF 1964, TITLE 3,
SECTION 164, SUBSECTION 6.

THE KNOWLTON AND MCLEARY COMPANY
FARMINGTON, MAINE
1975

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Sixth Legislature
AT THE
SPECIAL SESSION
January 2, 1974
to
March 29, 1974

public laws of 1971, is amended by adding a new subsection 7 to read as follows:

7. Has continued to engage in business in this or any other state after being suspended by the Secretary of State pursuant to section 1302, subsection 1.

If a corporation against which a complaint for dissolution under this section has been filed corrects its failure under subsections 1, 4 or 5 within 20 days of the filing of the complaint, it shall be reinstated upon payment of court costs to the Attorney General.

Sec. 3. R. S., T. 13-A, § 1302, sub-§ 1, repealed and replaced. Subsection 1 of section 1302 of Title 13-A, as enacted by section 1 of chapter 439 of the public laws of 1971, is repealed and the following enacted in place thereof:

1. Any corporation required to file an annual report as provided by section 1301 which fails to file its annual report on or before June 1st of each year shall pay to the Secretary of State, in addition to the regular annual report fee, the sum of \$25 for each failure to so file on time. Upon failure to file an annual report and to pay the annual report fee or the penalty, the Secretary of State shall revoke a foreign corporation's authority to do business in this State and suspend a domestic corporation from doing business. He shall use the procedures set forth in section 1210, relative to revoking right of foreign corporations to do business in this State, for suspending domestic corporations. A foreign corporation whose authority to do business in this State has been revoked under this subsection and which wishes to do business again in this State must be authorized as provided in section 1202. A domestic corporation which has been suspended under this subsection may be reinstated by filing the current annual report and by paying the penalty for the current year and for each year that it has failed to file an annual report.

Sec. 4. R. S., T. 13-A, § 1302, sub-§ 3, repealed. Subsection 3 of section 1302 of Title 13-A of the Revised Statutes, as enacted by section 1 of chapter 439 of the public laws of 1971, is repealed.

Sec. 5. Effective date. This Act shall become effective December 31, 1974.

Effective December 31, 1974

CHAPTER 694

AN ACT Clarifying the Provisions of the Waste Water Construction Grant Program and Waste Water Pollution Control Planning Program.

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

Sec. 1. R. S., T. 38, § 411, repealed and replaced. Section 411 of Title 38 of the Revised Statutes, as repealed and replaced by section 1 of chapter 538 of the public laws of 1967, and as amended, is repealed and the following enacted in place thereof:

§ 411. State contribution to pollution abatement

The department is authorized to pay an amount at least 15%, but not to exceed 25%, of the expense of a municipal or quasi-municipal pollution abatement construction program which has received federal approval and federal funds for construction. State grant-in-aid participation under this section shall be limited to grants for waste treatment facilities, interceptor systems and outfalls. The word "expense" shall not include costs relating to land acquisition or debt service.

All proceeds of the sale of bonds for the construction and equipment of pollution abatement facilities to be expended under the direction and supervision of the Department of Environmental Protection shall be segregated, apportioned and expended as provided by the Legislature.

Sec. 2. R. S., T. 38, § 412, repealed and replaced. Section 412 of Title 38 of the Revised Statutes, as repealed and replaced by section 1 of chapter 546 of the public laws of 1969 and as amended, is repealed and the following enacted in place thereof:

§ 412. Loans by State for planning

1. Noninterest-bearing loans by State for planning. The Department of Environmental Protection is authorized to pay an amount not in excess of 85% of the expense incurred by a municipality, quasi-municipal corporation, regional planning commission or council of government in planning a pollution abatement program in the form of a noninterest-bearing loan. Such amount may be in addition to any amounts previously paid by the department, but shall not be paid until the governing body of the municipality or the quasi-municipal corporation duly votes to proceed with a pollution abatement program.

A. Preliminary planning. For the purposes of this section, "preliminary planning" means engineering studies which include analysis of existing pollution problems; estimates of the cost of alternative methods of waste treatment, studies of areas to be served by the proposed facilities and estimates of the cost of serving such areas; preliminary sketches of existing and proposed sewer and treatment plant layouts; and estimates of alternative methods of financing including user charges, and other studies and estimates designed to aid the municipality, quasi-municipal corporation, regional planning commission or council of governments in deciding whether and how best to proceed with a pollution abatement program.

If the study leads to solutions not involving facilities construction eligible for federal reimbursements or results in solutions determined as non-feasible by the municipality and the Department of Environmental Protection, then the state planning loans shall be forgiven.

B. Final planning. For the purposes of this section, "final planning" means the preparation of engineering drawings and specifications for the construction of waste treatment facilities, interceptor systems and outfalls or other facilities specifically designated in departmental regulations. All proceeds from the sale of bonds for the planning of pollution abatement facilities to be expended under the direction and supervision of the

Department of Environmental Protection shall be segregated, apportioned and expended as provided by the Legislature.

The Board of Environmental Protection shall establish rules and regulations it deems necessary to administer this section.

Effective June 28, 1974

CHAPTER 695

AN ACT to Clarify Certain Property Tax Statutes.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, section 36 of chapter 620 of the public laws of 1973 provided that the law as of June 30, 1973 should remain effective as to municipalities not incorporated into primary assessing areas; and

Whereas, this provision has created uncertainty as to the application of various amendments to the property tax statutes, unrelated to the purpose intended to be accomplished by said section 36; and

Whereas, the following legislation is vitally necessary to eliminate such uncertainties; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. R. S., T. 30, § 2060, sub-§ 6, reenacted. Subsection 6 of section 2060 of Title 30 of the Revised Statutes, as amended and as last repealed by section 2 of chapter 620 of the public laws of 1973, is reenacted to read as follows:

6. Board of assessment review.

A. Any town choosing a single assessor may adopt a board of assessment review at a meeting of its legislative body held at least 60 days before the annual meeting.

B. The board of assessment review shall consist of 3 members to be appointed by the selectmen. The town, when adopting such board, may fix the compensation of the members. One member shall be appointed for one year, one member for 2 years and one member for 3 years, and thereafter the term of each new member shall be 3 years.

C. Any town adopting a board of assessment review may discontinue such board by vote, in the same manner and under the same conditions as in adopting such board.