

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 Seventh Legislature

1975

Whenever any dealer shall fail to pay any tax due under this chapter within the time limited, the Attorney General shall enforce payment of such tax by civil action against such dealer for the amount of such tax, either in the Superior Court in and for the county or the District Court in the division in which such dealer has his residence or established place of business or in the Superior Court of Kennebec County.

Whenever any dealer shall fail to pay any tax due, or shall fail to file any report at the time it is required to be filed for 2 consecutive reporting periods, the State Tax Assessor may revoke the dealer's certificate of such dealer.

Such revocation shall become effective upon notice to the dealer. Any dealer aggrieved by such revocation may apply in writing, within 15 days after notice thereof, to the State Tax Assessor for a hearing, setting forth the reasons for the hearing, and the manner of relief sought. Upon receipt of such application, the Tax Assessor shall set a time and place for such hearing and give the dealer 10 days' notice thereof. After such hearing the Tax Assessor may make such order as may appear to him just and lawful and shall give notice by furnishing a copy of such order to the applicant. Any dealer aggrieved by such order of the Tax Assessor may appeal therefrom within 20 days after notice of such order to the Superior Court. The appellant shall, when the appeal is taken, give the State Tax Assessor or his duly authorized representative written notice of the appeal with a copy of the complaint stating the reasons for the appeal. Pending judgment of the court, the order of the State Tax Assessor shall remain in full force and effect. Any notice required to be given by the State Tax Assessor under this section may be given in hand or by registered mail.

Sec. 7. Legislative intent. It is the intent of the Legislature that the Maine Dairy Council Committee be renamed the Maine Dairy and Nutrition Council and that such renaming have no effect whatever upon the persons who are serving on the Maine Dairy Council Committee on the effective date of this Act or upon their terms of office; and such persons shall on the effective date of this Act become the members of the Maine Dairy and Nutrition Council.

Sec. 8. Effective date. This Act shall take effect on the first of the month following the effective date of this Act.

Effective October 1, 1975

CHAPTER 445

AN ACT Concerning the Filling of the Office of Register of Deeds.

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

Sec. 1. 33 MRSA § 601, as last amended by PL 1971, c. 230, § 1, is repealed and the following enacted in place thereof:

§ 601. Election of register; vacancies

A register of deeds shall be elected for each county and in each registry district by the legally qualified voters thereof, who shall serve for a term of 4 years.

Vacancies shall be filled for the unexpired term by election as provided for in section 602 at the next November election after their occurrence. In the meantime, the Governor with the advice and consent of the Council, may fill vacancies by appointment, and the person so appointed shall hold his office until the first day of January, next after the election last mentioned. Until a vacancy is filled by appointment by the Governor, the deputy register shall serve as acting register as provided in section 605. If at the time of the vacancy there is no deputy register, the clerk of courts shall perform the duties of register, as provided in section 606, until the vacancy is filled by appointment by the Governor.

Sec. 2. 33 MRSA § 605 is amended by adding a new paragraph at the end to read:

In case of vacancy in the office of register, in any county or registry district, the deputy register then holding such office pursuant to this section shall assume the title of acting register, be sworn as such by a dedimus justice and thereafter perform all duties and services required of a register of deeds during such vacancy, complete all unfinished business, receive the same compensation and be subject to the same liabilities as a register of deeds and his certificate shall have the same effect as if made by the register.

Sec. 3. 33 MRSA § 606, as last repealed and replaced by PL 1971, c. 230, § 2, is repealed and the following enacted in place thereof:

§ 606. Clerk of courts as register

In case of vacancy in the office of register and of his deputy in any county or registry district, the clerk of the judicial courts of the same county, being first sworn, shall perform all duties and services required by a register of deeds during such vacancy, complete all unfinished business, receive the same compensation and be subject to the same liabilities as a register of deeds, and his certificate shall have the same effect as if made by the register.

Effective October 1, 1975

CHAPTER 446

AN ACT to Transfer Authority for Truth-in-lending Examinations and Enforcement from the Bureau of Banks and Banking to the Bureau of Consumer Protection.

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

Whereas, the State of Maine must continue its examination responsibilities under the Truth-in-lending Act in order to retain its exemption under the federal law; and

Whereas, the personnel responsible for conducting these examinations for the Bureau of Banks and Banking have been transferred to the newly formed Bureau of Consumer Protection; and