

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND ELEVENTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 1982 to June 24, 1983
Chapters 1-452

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

J.S. McCarthy Co., Inc.
Augusta, Maine
1983

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

28 MRSA §801-B, sub-§2, as amended by PL 1975, c. 741, §27, is further amended to read:

2. The license provided for by this section shall authorize the licensee to sell or serve liquor only at one public event or public gathering per year which is sponsored by the licensee, and said the public event or public gathering shall be valid for no longer than 3 7 consecutive days and shall not be renewable.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective March 15, 1983.

CHAPTER 50

H.P. 680 - L.D. 834

AN ACT to Amend the Corporation Laws and Laws Pertaining to Limited Partnerships.

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

Sec. 1. 13 MRSA §982, as amended by PL 1977, c. 592, §§9 and 10, is repealed.

Sec. 2. 13-B MRSA §301, sub-§1, as amended by PL 1979, c. 572, §§11 and 12, is further amended to read:

1. Name. The corporate name:

A. Shall not contain any word or phrase which indicates or implies that it is organized for any purpose for which a corporation may not be organized under this Act;

B. Shall not be the same as, or deceptively similar to, the name of any domestic business or nonprofit corporation existing under the laws of this State or any foreign business or nonprofit corporation authorized to carry on activities in this State, or a name the exclusive right to which is, at the time, reserved in the manner provided in this Act, or the name of a business or nonprofit corporation which has in effect a registration of its corporate name as provided in this Act, unless such the other corporation exe-

cutes and files with the Secretary of State proof of a resolution of its board of directors authorizing the use of a similar name by the corporation seeking to use such that similar name; and

C. Shall not be the same as, or deceptively similar to, any ~~trade mark or service mark~~ registered under Title 10, chapter 301-A; and

D. Shall not be the same as, or deceptively similar to, the name of any department, bureau or other agency of the State.

Sec. 3. 13-B MRSA §301, sub-§4 is enacted to read:

4. Names of corporations suspended or excused. Subsection 1, paragraph B shall not apply to the name of any corporation, the charter of which is suspended on and after the 3rd anniversary of the suspension, or to the name of any corporation which has been excused from filing biennial reports on or after the 5th anniversary of that excuse.

Sec. 4. 13-B MRSA §1104, sub-§1, as enacted by PL 1977, c. 525, §13, is amended to read:

1. Certification provided. If voluntary dissolution proceedings have not been revoked, then when all debts, liabilities and obligations of the corporation have been paid and discharged, or adequate provision has been made therefor, and all remaining property and assets of the corporation have been distributed as provided in paragraph D, articles of dissolution shall be executed and delivered for filing as provided by sections 104 and 106 and shall be accompanied by a written statement from the Bureau of Taxation certifying that the corporation is not indebted to the State for any taxes, and such articles shall set forth:

- A. The name of the corporation;
- B. That the Secretary of State has previously filed a statement of intent to dissolve the corporation and the date on which such statement was filed;
- C. That all debts, obligations and liabilities of the corporation have been paid and discharged or that adequate provision has been made therefor;
- D. That all remaining property and assets of the corporation have been distributed among its members in accordance with their respective rights

and interests, or have been otherwise distributed pursuant to the articles or bylaws of the corporation, provided that the assets of a corporation whose purposes and activities have been primarily charitable, religious, eleemosynary, benevolent or educational shall be transferred or conveyed only to one or more domestic or foreign corporations, societies or organizations engaged in activities substantially similar to those of the dissolving or liquidating corporation; and

E. That there are no suits pending against the corporation in any court or that adequate provision has been made for the satisfaction of any judgment, order or decree which may be entered against it in any pending suit.

Sec. 5. 31 MRSA §152, sub-§3 is enacted to read:

3. Name availability. The name of a limited partnership shall not be the same as, or deceptively similar to, the name of any limited partnership formed under this Title, unless the other limited partnership files with the Secretary of State a statement authorizing the use of a similar name by the limited partnership seeking to use that similar name.

Effective September 23, 1983.

CHAPTER 51

H.P. 261 - L.D. 321

AN ACT to Amend Maine's Laws Relating to Credit Unions.

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

Sec. 1. 9-B MRSA §812, sub-§1, as enacted by PL 1975, c. 500, §1, is amended to read:

1. Organizers. Any number of persons, but not less than 10, all of whom shall be residents of this State, may apply in writing to the superintendent for permission to organize a credit union for the purpose of promoting thrift among its members and creating a source of credit for them, at legitimate rates of interest, for provident and productive purposes purposes of encouraging thrift among its members, creating a source of credit at legitimate rates of inter-