

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

FIRST SPECIAL SESSION
November 28, 1995 to December 1, 1995

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JULY 4, 1996

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1995

tion Central Liquidity Facility for purposes of establishing membership in ~~that system~~ those systems.

See title page for effective date.

CHAPTER 513

H.P. 543 - L.D. 739

An Act to Allow Issuance of Duplicate Registrations for Trailers and Semitrailers

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

Sec. 1. 29-A MRSA §511, sub-§4 is enacted to read:

4. Duplicate registrations for trailers and semitrailers. At the time of registration, a person registering a trailer or semitrailer that exceeds 2,000 pounds, in accordance with this section or section 512, may apply for and receive a duplicate registration for an additional \$2 fee. This subsection does not apply to camp trailers.

See title page for effective date.

CHAPTER 514

S.P. 619 - L.D. 1624

An Act to Update and Clarify the Corporate Laws

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

Sec. 1. 13-A MRSA §1106, sub-§2, as enacted by PL 1971, c. 439, §1, is repealed and the following enacted in its place:

2. The corporation shall notify immediately the State Tax Assessor and each known creditor of the corporation of the filing of the statement of intent to dissolve;

Sec. 2. 13-B MRSA §301, sub-§3, as amended by PL 1979, c. 663, §72, is further amended to read:

3. Grants. Any corporation may grant to any domestic business or nonprofit corporation or any foreign business or nonprofit corporation authorized to carry on activities in this State, or to any person, by executing and filing with the Secretary of State as provided in sections 104 and 106 proof of a resolution of its board of directors making ~~such a~~ a grant, the

exclusive right ~~thereafter~~ after the making of a grant to authorize the use of a name similar to that of the granting corporation by any other corporation or corporations, or person for use as a name or as a ~~trade mark trademark~~ trademark or service mark as defined in Title 10, chapter 301-A. Any such resolution ~~shall be~~ is revocable unless by its terms it is irrevocable. ~~No proof~~ Proof of a subsequent resolution by the board of directors of the granting corporation ~~shall thereafter~~ may not be required under subsection 1, paragraph B, ~~until and~~ unless the granting corporation ~~shall~~, in the case of a revocable resolution, ~~revoke~~ revokes the grant by executing and filing in the manner provided under this section proof of a further resolution of its board of directors revoking the grant.

If proof of a resolution is not appropriate, then the Secretary of State may accept without a filing fee a letter from the entity controlling use of the corporation name or mark in this State. The letter must state that an affiliation exists and must be dated and signed by an officer. The letter must demonstrate how the corporation attempting to file is affiliated with the controlling entity.

Sec. 3. 31 MRSA §406, sub-§2, ¶¶D and E, as enacted by PL 1991, c. 552, §2 and affected by §4, are amended to read:

D. A statement that it is actually ~~engaged in~~ doing business ~~activities~~;

E. A brief statement of the ~~activities~~ business in which it is engaged; and

Sec. 4. 31 MRSA §606, sub-§2, ¶D, as enacted by PL 1993, c. 718, Pt. A, §1, is amended to read:

D. A statement that it is actually ~~engaged in~~ doing business ~~activities~~;

Sec. 5. 31 MRSA §606, sub-§2, ¶E, as amended by PL 1995, c. 458, §20, is further amended to read:

E. A brief statement of the ~~activities~~ business in which it is engaged; and

Sec. 6. 31 MRSA §622, sub-§1, ¶C, as enacted by PL 1993, c. 718, Pt. A, §1, is amended to read:

C. If management of the limited liability company is vested in a manager or managers:

- (1) A statement to that effect;
- (2) The minimum and maximum number of managers permitted; and

(3) If the initial managers have been selected, the name and the business, residence or mailing address of each initial manager.

Sec. 7. 31 MRSA §623, sub-§3, ¶¶C and D, as enacted by PL 1993, c. 718, Pt. A, §1, are amended to read:

C. A change in whether the management of the limited liability company is vested in managers or members; ~~or~~

D. A manager or, if there is no manager, a member becomes aware that the articles of organization contain a false or erroneous statement; ~~or~~

Sec. 8. 31 MRSA §623, sub-§3, ¶E is enacted to read:

E. A change either in the minimum or maximum number of managers.

Sec. 9. 31 MRSA §751, sub-§16, as enacted by PL 1993, c. 718, Pt. A, §1, is amended to read:

16. Certified copies. For providing certified copies of any paper on file as provided for by this chapter, a fee of \$5 for each copy certified in addition to any fee due under subsection ~~44~~ 15;

See title page for effective date.

CHAPTER 515

H.P. 1186 - L.D. 1627

**An Act to Change the Name of the
Maine Youth Apprenticeship
Program to the Maine Career
Advantage**

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

Sec. 1. 20-A MRSA c. 432 is amended by repealing the chapter headnote and enacting the following in its place:

CHAPTER 432

MAINE CAREER ADVANTAGE

Sec. 2. 20-A MRSA §12731, first ¶, as enacted by PL 1993, c. 392, §2, is amended to read:

The Maine Technical College System in cooperation with the Department of Education and the Department of Labor is authorized to provide comprehensive administrative and financial services to the Maine ~~Youth Apprenticeship Program~~ Career Advantage, a nonprofit corporation organized under

the laws of the State of Maine to provide an additional education option, through a partnership between business and education, for high school students and young adults to obtain classroom instruction and on-the-job training that prepares them directly for career-related employment or continued education. The sole purpose of the Maine ~~Youth Apprenticeship Program~~ Career Advantage, referred to in this chapter as "the program," is to assist the Maine Technical College System, public secondary schools and other publicly supported educational institutions in the State in providing a combination of academic learning and structured work-based learning at businesses in the State to students enrolled at Maine Technical College System facilities, public secondary schools or other publicly supported educational institutions.

Sec. 3. 20-A MRSA §12734, sub-§4, as enacted by PL 1993, c. 392, §2, is amended to read:

4. Officers and staff. The officers of the board consist of a chair and vice-chair, elected by the board from the board membership for a term of one year. Officers may be elected for one additional term. The vice-chair serves as the chair in the absence of the chair. The board is staffed by the Maine ~~Youth Apprenticeship Program~~ Career Advantage staff.

See title page for effective date.

CHAPTER 516

H.P. 1213 - L.D. 1663

**An Act to Clarify the Laws
Regarding the Issuance of a Credit
Card to Benefit the Land for Maine's
Future Fund**

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

Whereas, this Act addresses inadvertent limitations in legislation previously enacted to authorize a program beneficial to the Land for Maine's Future Fund; 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. 5 MRSA §6211, as enacted by PL 1995, c. 358, §1, is amended to read: