

## CHAPTER 14

### FEES

#### **§1401. Fees for filing documents and services**

In addition to any fees required by section 1402, the Secretary of State shall charge the following fees for filing documents required or permitted to be filed in his office by this Act, and for services specified herein: [PL 1977, c. 525, §13 (NEW).]

##### **1. Proof of resolution.**

[PL 2003, c. 344, Pt. B, §21 (RP).]

**1-A. Application for indistinguishable name.** Application for the use of an indistinguishable name as provided by section 301-A, subsection 4, §5;  
[PL 2003, c. 344, Pt. B, §22 (NEW).]

**2. Application to reserve name.** Application to reserve corporate name, as provided by section 302-A, §5;  
[PL 2003, c. 344, Pt. B, §23 (AMD).]

**3. Notice of transfer of reserved corporate name.** Notice of transfer of a reserved corporate name, as provided by section 302-A, §5;  
[PL 2003, c. 344, Pt. B, §23 (AMD).]

**4. Application to register corporate name.** Application to register corporate name, as provided by section 303-A, §5 per month for the number of months or fraction of a month remaining in the calendar year when the application is first filed;  
[PL 2003, c. 344, Pt. B, §23 (AMD).]

**5. Application to renew registered name.** Application to renew the registration of a registered name, as provided by section 303-A, §50;  
[PL 2003, c. 344, Pt. B, §23 (AMD).]

**5-A. Termination of registered name.**  
[PL 2003, c. 344, Pt. B, §24 (RP).]

**6. Statement of change in registered agent or registered agent and registered office.**  
[PL 2007, c. 323, Pt. B, §28 (RP); PL 2007, c. 323, Pt. G, §4 (AFF).]

**7. Notice of resignation of registered agent.**  
[PL 2007, c. 323, Pt. B, §29 (RP); PL 2007, c. 323, Pt. G, §4 (AFF).]

**8. Statement of change in registered office.**  
[PL 2007, c. 323, Pt. B, §30 (RP); PL 2007, c. 323, Pt. G, §4 (AFF).]

**9. Process on Secretary of State as agent.** Accompanying service of process upon the Secretary of State as agent of nonresident director of a domestic corporation, as provided by section 307, §5 for each such process;  
[PL 2007, c. 323, Pt. B, §31 (AMD); PL 2007, c. 323, Pt. G, §4 (AFF).]

**10. Notice of resignation of nonresident director.** Notice of resignation of a nonresident director, as provided by section 307, subsection 4, §2;  
[PL 1977, c. 525, §13 (NEW).]

**10-A. Assumed or fictitious name statement.** Assumed or fictitious name statement, as provided by section 308-A, §25;  
[PL 2003, c. 673, Pt. WWW, §4 (AMD); PL 2003, c. 673, Pt. WWW, §37 (AFF).]

**10-B. Termination of assumed or fictitious name.** Termination of assumed or fictitious name, as provided by section 308-A, subsection 8, §5; [PL 2003, c. 344, Pt. B, §26 (AMD).]

**11. Articles of incorporation.** Articles of incorporation, as provided by section 403, §40; [PL 2003, c. 673, Pt. WWW, §5 (AMD); PL 2003, c. 673, Pt. WWW, §37 (AFF).]

**12. Articles of amendment.** Articles of amendment, as provided by sections 802 and 803, §10; if the amendment changes the corporation's purposes, a further additional amount of \$10; [PL 2003, c. 673, Pt. WWW, §6 (AMD); PL 2003, c. 673, Pt. WWW, §37 (AFF).]

**12-A. Certificate of correction.** Certificate of correction, as provided by section 106, subsection 4, §10; [PL 2003, c. 673, Pt. WWW, §7 (AMD); PL 2003, c. 673, Pt. WWW, §37 (AFF).]

**13. Restated articles of incorporation.** Restated articles of incorporation, as provided by section 805, §10; and if they change the purposes of the corporation, a further additional amount of \$10; [PL 2007, c. 231, §11 (AMD).]

**14. Articles of merger or consolidation.** Articles of merger or consolidation, as provided by section 904, §25; and if the merger or consolidation changes the survivor's purposes, a further additional amount of \$10; [PL 2007, c. 231, §12 (AMD).]

**15. Articles of merger or consolidation of corporations.** Articles of merger or consolidation of domestic and foreign corporations, as provided by section 906, §25, if the new or surviving corporation is a foreign corporation, plus the appropriate fee for authority to carry on activities in this State, if not previously so authorized; if the new or surviving corporation is a domestic corporation, the same sum as would be required for the merger or consolidation of domestic corporations; [PL 2007, c. 231, §13 (AMD).]

**16. Document required.** Document required by section 906, subsection 4, in the event that the surviving or new corporation is a foreign corporation, no fee in addition to that specified in the preceding subsection; [PL 1977, c. 525, §13 (NEW).]

**17. Articles of dissolution.** Articles of dissolution, as provided by section 1104, §10; [PL 2003, c. 673, Pt. WWW, §8 (AMD); PL 2003, c. 673, Pt. WWW, §37 (AFF).]

**18. Statement of intent.** Statement of intent to dissolve as provided by section 1101, §10; [PL 2003, c. 673, Pt. WWW, §9 (AMD); PL 2003, c. 673, Pt. WWW, §37 (AFF).]

**19. Statement of revocation.** Statement of revocation of voluntary dissolution proceedings, as provided by section 1102, §5; [PL 1977, c. 525, §13 (NEW).]

**20. Application for authority.** Application of a foreign corporation for authority to carry on activities in this State, as provided by section 1202, §45; [RR 2003, c. 2, §23 (COR).]

**21. Articles of merger.** Articles of merger of a foreign corporation, as provided by section 1206, §25; [PL 2007, c. 231, §14 (AMD).]

**22. Amendment to foreign corporation's application.** An amendment to a foreign corporation's application for authority to carry on activities in this State, as provided by section 1207, §15; [PL 2007, c. 231, §15 (AMD).]

**23. Application for surrender of authority.** An application of a foreign corporation for surrender of its authority, as provided by section 1208, \$15;  
[PL 2007, c. 231, §16 (AMD).]

**24. Statement of termination of existence.** Statement of a foreign corporation's termination of existence, as provided by section 1209, \$5;  
[PL 1977, c. 525, §13 (NEW).]

**24-A. Application for excuse.** An application for excuse, as provided by section 1301, subsection 5, \$5;  
[PL 1993, c. 316, §45 (NEW).]

**25. Certificate of resumption of activity.** A certificate of resumption of activity, as provided by section 1301, subsection 6, \$25;  
[PL 1979, c. 127, §109 (AMD).]

**26. Issuing certificate.** For issuing a certificate of existence, certificate of authority or certificate of fact as provided by section 111 or 1306, \$10 per certificate;  
[PL 2003, c. 631, §8 (RPR).]

**27. Statement of change in registered agent or registered agent and registered office.**  
[PL 2007, c. 323, Pt. B, §32 (RP); PL 2007, c. 323, Pt. G, §4 (AFF).]

**28. Other documents.** Any other documents not herein specifically provided for, \$5;  
[PL 1989, c. 501, Pt. L, §44 (AMD).]

**29. Statement of change in registered office.**  
[PL 2007, c. 323, Pt. B, §33 (RP); PL 2007, c. 323, Pt. G, §4 (AFF).]

**30. Report of name search.**  
[PL 2003, c. 344, Pt. B, §27 (RP).]

**31. Annual report.** Annual report of a domestic or foreign corporation as provided by section 1301, \$35;  
[PL 2003, c. 673, Pt. XXX, §1 (AMD); PL 2003, c. 673, Pt. XXX, §10 (AFF).]

**31-A. Amended annual report.** An amended annual report of a domestic or foreign corporation as provided by section 1301-C, \$35;  
[PL 2005, c. 529, §3 (AMD).]

**32. Document preclearance.** Preclearance of any document for filing, \$100;  
[PL 2003, c. 631, §10 (AMD).]

**33. Information request.**  
[PL 2003, c. 631, §11 (RP).]

**34. Late filing; penalty.** For failing to deliver an annual report by its due date, in addition to the annual report filing fee, \$25;  
[PL 2007, c. 231, §17 (AMD).]

**35. Reinstatement fee after administrative dissolution of domestic or foreign corporation.** For failure to file an annual report, a fee of \$25 per report, to a maximum fee of \$150, regardless of the number of delinquent reports or the period of delinquency; for failure to pay the annual report late filing penalty, \$25; for failure to appoint or maintain a registered agent, \$25; for failure to notify the Secretary of State that its registered agent or the address of the registered agent has been changed or that its registered agent has resigned, \$25; and for filing false information, \$25; and  
[PL 2015, c. 254, §2 (AMD).]

**36. Certificate of revival after dissolution.** Certificate of revival after dissolution for a domestic nonprofit corporation, as provided in section 1117, \$25.

[PL 2007, c. 231, §19 (NEW).]

#### SECTION HISTORY

PL 1977, c. 525, §13 (NEW). PL 1979, c. 127, §§104-111 (AMD). PL 1983, c. 86, §5 (AMD). PL 1989, c. 501, §§L44-46 (AMD). PL 1989, c. 875, §§E14-16 (AMD). RR 1991, c. 2, §49 (COR). PL 1991, c. 780, §§U21-23 (AMD). PL 1991, c. 837, §§A42,43 (AMD). PL 1993, c. 316, §§45,46 (AMD). PL 1993, c. 349, §§37,38 (AMD). PL 1997, c. 376, §31 (AMD). PL 1999, c. 594, §§15-18 (AMD). RR 2003, c. 2, §23 (COR). PL 2003, c. 344, §§B21-27 (AMD). PL 2003, c. 631, §§8-12 (AMD). PL 2003, c. 673, §§WWW3-10,XX X1 (AMD). PL 2003, c. 673, §§WWW37,XXX1 0 (AFF). PL 2005, c. 12, §FF2 (AMD). PL 2005, c. 529, §§1-3 (AMD). PL 2007, c. 231, §§11-19 (AMD). PL 2007, c. 323, Pt. B, §§28-34 (AMD). PL 2007, c. 323, Pt. G, §4 (AMD). PL 2007, c. 695, Pt. A, §17 (AMD). PL 2007, c. 695, Pt. A, §18 (AFF). PL 2015, c. 254, §2 (AMD).

#### **§1402. Fees for copying, comparing and authenticating documents**

**1. Secretary of State to furnish copies.** The Secretary of State shall furnish to any person a copy of any document filed under this Act or retained in file, having been filed under a predecessor to this Act; for locating, copying and certifying a document subsequent to its filing, the Secretary of State shall charge a fee of \$2 per page. The Secretary of State may reduce the fee for governmental bodies.

[PL 1989, c. 501, Pt. L, §47 (AMD).]

#### SECTION HISTORY

PL 1977, c. 525, §13 (NEW). PL 1989, c. 501, §L47 (AMD).

#### **§1402-A. Expedited service**

The Secretary of State may provide an expedited service for the processing of documents in accordance with this Title. If the service is provided, the Secretary of State shall establish by rule a fee schedule and governing procedures in accordance with the Maine Administrative Procedure Act. All fees collected as provided by this section must be deposited in a fund for use by the Secretary of State in providing an improved filing service. [PL 1991, c. 465, §32 (NEW).]

#### SECTION HISTORY

PL 1991, c. 465, §32 (NEW).

#### **§1403. Remittance to Treasurer of State**

All fees collected as provided by this chapter must be remitted to the Treasurer of State for the use of the State with the exception of those fees collected under sections 1402-A and 1405. [PL 1991, c. 465, §33 (AMD).]

#### SECTION HISTORY

PL 1977, c. 525, §13 (NEW). PL 1991, c. 465, §33 (AMD).

#### **§1404. Access to Secretary of State's database**

The Secretary of State may provide public access to the database of the Department of the Secretary of State through a dial-in modem, public terminals and electronic duplicates of the database. If access to the database is provided to the public, the Secretary of State may promulgate rules in accordance with the Maine Administrative Procedure Act to establish a fee schedule and governing procedures. [PL 1991, c. 465, §34 (NEW).]

#### SECTION HISTORY

PL 1991, c. 465, §34 (NEW).

#### **§1405. Publications**

**1. Informational publications.** The Secretary of State may establish by rule in accordance with the Maine Administrative Procedure Act a fee schedule to cover the cost of printing and distribution of publications and to set forth the procedures for the sale of these publications.  
[PL 1991, c. 465, §34 (NEW).]

**2. Fund; fees deposited.** All fees collected pursuant to this section must be deposited in a fund for use by the Secretary of State for the purpose of replacing and updating publications offered in accordance with this Title and for funding new publications.  
[PL 1991, c. 465, §34 (NEW).]

#### SECTION HISTORY

PL 1991, c. 465, §34 (NEW).

### §1406. Public and mutual benefit corporation

**1. Public benefit corporation.** A domestic corporation subject to this Act is a public benefit corporation if:

A. It is designated a public benefit corporation by statute; [PL 2001, c. 550, Pt. C, §28 (NEW); PL 2001, c. 550, Pt. C, §29 (AFF).]

B. It is recognized as exempt under the Internal Revenue Code, Section 501(c)(3) or any successor provision; [PL 2001, c. 550, Pt. C, §28 (NEW); PL 2001, c. 550, Pt. C, §29 (AFF).]

C. Pursuant to its articles of incorporation or its bylaws or by statute, it:

(1) Is organized for a public or charitable purpose; and

(2) Upon dissolution must distribute its assets to a public benefit corporation, the United States, a state, or a person that is recognized as exempt under the Internal Revenue Code, Section 501(c)(3) or any successor provision; or [PL 2001, c. 550, Pt. C, §28 (NEW); PL 2001, c. 550, Pt. C, §29 (AFF).]

D. It elects to be a public benefit corporation in accordance with subsection 3 or section 403, subsection 1, paragraph A-1. [PL 2001, c. 550, Pt. C, §28 (NEW); PL 2001, c. 550, Pt. C, §29 (AFF).]

[PL 2001, c. 550, Pt. C, §28 (NEW); PL 2001, c. 550, Pt. C, §29 (AFF).]

**2. Mutual benefit corporation.** A domestic corporation other than one described in subsection 1 is a mutual benefit corporation.

[PL 2001, c. 550, Pt. C, §28 (NEW); PL 2001, c. 550, Pt. C, §29 (AFF).]

**3. Filings by corporation existing on effective date.** Not later than January 1, 2004, a domestic corporation in existence on January 1, 2003 shall specify on a filing with the Secretary of State whether it is a public benefit corporation or a mutual benefit corporation.

A. The specification may be made on an annual report, on an amendment or restatement of articles of incorporation or on articles of merger, conversion or domestication. [PL 2001, c. 550, Pt. C, §28 (NEW); PL 2001, c. 550, Pt. C, §29 (AFF).]

B. A corporation that fails to comply with this subsection is a public benefit corporation until proper filing is made. [PL 2001, c. 550, Pt. C, §28 (NEW); PL 2001, c. 550, Pt. C, §29 (AFF).]

[PL 2001, c. 550, Pt. C, §28 (NEW); PL 2001, c. 550, Pt. C, §29 (AFF).]

#### SECTION HISTORY

PL 2001, c. 550, §C28 (NEW). PL 2001, c. 550, §C29 (AFF).

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