

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Fifth Legislature

OF THE

STATE OF MAINE

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
1971

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Fifth Legislature
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(5) When the sale of consumer goods of \$50 or more is involved, any assignee of any installment sales contract or instrument given therewith shall not be deemed a holder in due course.

(a) Consumer goods under this section shall be as defined in Article 9, section 9-109, subsection (1); and

(b) "Installment sales contract" for the purposes of this section means a contract for the sale of consumer goods which requires satisfaction in 2 or more payments; and

(c) Any agreement to waive any rights or remedies which the maker may have against the seller or holder of the installment sales contract or instrument given therewith shall be void; and

(d) Any provision by which the maker agrees not to assert against a seller or holder a claim or defense arising out of the sale of said consumer goods or agrees not to assert against an assignee such a claim or defense shall be void.

(e) This subsection shall be applicable to contracts and instruments which are assigned subsequent to January 1, 1972.

Effective September 23, 1971

Chapter 475

AN ACT to Limit the Tax Exemption for Certain Corporations Which Conduct Their Operations Primarily for the Benefit of Nonresidents of the State.

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

R. S., T. 36, § 652, sub-§ 1, ¶ A, sub-¶ (1), repealed and replaced. Subparagraph (1) of paragraph A of subsection 1 of section 652 of Title 36 of the Revised Statutes, as amended by chapter 372 of the public laws of 1967, is repealed and the following enacted in place thereof:

(1) Any such institution which is in fact conducted or operated principally for the benefit of persons who are not residents of Maine shall be entitled to an exemption not to exceed \$50,000 of current just value only when the total amount of any stipends or charges which it makes or takes during any tax year, as defined by section 502, for its services, benefits or advantages divided by the total number of persons receiving such services, benefits or advantages during the same tax year does not result in an average rate in excess of \$30 per week when said weekly rate is computed by dividing the average yearly charge per person by the total number of weeks in a tax year during which such institution is in fact conducted or operated principally for the benefit of persons who are not residents of Maine. No such institution which is in fact conducted or operated principally for the benefit of persons who are not residents of Maine and makes charges which result in an average weekly rate per

person, as computed under this subparagraph, in excess of \$30 shall be entitled to tax exemption. This subparagraph shall not apply to institutions incorporated as nonprofit corporations for the sole purpose of conducting medical research.

Effective September 23, 1971

Chapter 476

AN ACT Relating to Public Utility Transmission Lines.

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

Sec. 1. R. S., T. 35, § 13-A, additional. Title 35 of the Revised Statutes is amended by adding a new section 13-A to read as follows:

§ 13-A. Construction of transmission lines and generating facilities prohibited without prior order of the commission

When any electrical company or companies propose to erect within this State a permanently installed power generating facility of more than 1,000 kilowatts, or transmission lines carrying 125 kilovolts or more, said company or companies shall file a petition with the commission on a form or forms to be prepared by the commission which shall contain such facts and details as the commission shall reasonably require. The petition shall be set down for public hearing.

In its order the commission shall make specific findings with regard to the need for such facilities and if the commission finds that a need exists, it shall issue a certificate of public convenience and necessity for the facilities proposed. If the commission orders or allows the erection of such facilities, such order shall be subject to all other provisions of law and the right of any other agency to approve said facilities.

At any public hearing held by the commission as to the erection and construction of a transmission line, the electric company shall submit a map to the commission at least 14 days prior to such public hearing. Said map shall be available to the public at the offices of the commission and shall indicate the proposed location and route of such transmission line and a description of any planned equipment and facilities to be placed thereon. The commission may approve or disapprove all or portions of such proposed transmission line, and shall make such orders regarding its location, character, size, width installation, maintenance and appearance.

Sec. 2. R. S., T. 38, § 484, amended. Section 484 of Title 38 of the Revised Statutes, as enacted by section 2 of chapter 571 of the public laws of 1969, is further amended by inserting before the 4th paragraph from the end a new paragraph, to read as follows:

In case of a permanently installed power generating facility of more than 1,000 kilowatts or a transmission line carrying 125 kilovolts or more proposed to be erected within this State by an electrical company or companies, the proposed development, in addition to meeting the requirements of subsections 1 to 4, shall also have been approved by the Public Utilities Commission under Title 35, section 13-A.