

MAINE STATE LEGISLATURE

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EIGHTY-FOURTH LEGISLATURE

Senate Document

No. 195

S. P. 487

In Senate, Feb. 20, 1929.

Referred to Committee on Judiciary and 500 copies ordered printed. Sent down for concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Martin of Kennebec.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND TWENTY-NINE

AN ACT Relative to That Which Shall Constitute "Doing
Business" in This State by a Foreign Corporation.

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

That no corporation organized and existing under the laws
2 of any other state shall be deemed to be doing or transact-
3 ing a local business in this state, (nor shall such corporation
4 be required to comply with the provisions of this act),
5 under the following conditions, or any of them:

(a) If it is in the mail order or a similar business, merely
2 receiving orders by mail or otherwise in pursuance of let-
3 ters, circulars, catalogs, or other forms of advertising, or
4 solicitation, accepting such orders outside this state, and

5 filling them with goods shipped into from without this state ;

(b) If it employs salesmen, either resident or traveling, to
2 solicit orders in this state, either by display of samples or
3 otherwise, (whether or not maintaining sales offices in this
4 state), all orders being subject to approval at the corpora-
5 tion's offices without this state, and all goods applicable to
6 such orders being shipped in pursuance thereof from with-
7 out this state to the vendee or to the seller or his agent for
8 delivery to the vendee, provided, that any samples kept with-
9 in this state are for display and advertising purposes only,
10 and no sales, repairs or replacements are made from stock
11 on hand in this state ;

(c) If by contract consummated outside this state, it
2 sells, and agrees to deliver into from without this state,
3 machinery, plants, or equipment, the construction, erection
4 or installation of which within this state requires the sup-
5 ervision of technical engineers or skilled employees perform-
6 ing services not generally available, and as a part of the
7 contract of sale agrees to furnish such services, and such
8 services only, to the vendee at the time of construction,
9 erection, or installation ;

(d). If its business operations within this state, although
2 not falling within the terms of paragraphs (a), (b) and (c)
3 above, or any of them, are nevertheless wholly interstate in
4 character.