

MAINE STATE LEGISLATURE

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N I N E T Y - N I N T H L E G I S L A T U R E

Legislative Document

No. 554

S. P. 215

In Senate, February 10, 1959

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

CHESTER T. WINSLOW, Secretary.

Presented by Senator Woodcock of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-NINE

AN ACT Clarifying Laws Relating to the Maine Industrial Building Authority.

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

Sec. 1. R. S., c. 38-B, § 4, amended. The next to the last sentence of the first paragraph of section 4 of chapter 38-B of the Revised Statutes, as enacted by section 1 of chapter 421 of the public laws of 1957, is amended to read as follows:

'Five members of the authority shall constitute a quorum ~~and the~~. The affirmative vote of ~~all the members of the quorum~~ **5 members**, present and voting, shall be necessary for any action taken by the authority.'

Sec. 2. R. S., c. 38-B, § 4, amended. The last paragraph of section 4 of chapter 38-B of the Revised Statutes, as enacted by section 1 of chapter 421 of the public laws of 1957, is repealed and the following enacted in place thereof:

'No member of the authority shall participate in any decision involving insurance of payments on a loan to a local development corporation if said member has any interest in or connection with said local development corporation or any firm, partnership, corporation or association which intends to rent, lease or otherwise occupy the property securing said loan.'

Sec. 3. R. S., c. 38-B, § 8, sub-§ I, amended. The last sentence of subsection I of section 8 of chapter 38-B of the Revised Statutes, as enacted by section 1 of chapter 421 of the public laws of 1957, is amended to read as follows:

'To this sum shall be charged any and all expenses of the authority, including interest and principal payments required by loan defaults and to the sum shall be credited all income of the authority, including mortgage insurance premiums and ~~from the~~ sale, disposal, lease or rental **proceeds**.'

Sec. 4. R. S., c. 38-B, § 9-A, additional. Chapter 38-B of the Revised Statutes, as enacted by section 1 of chapter 421 of the public laws of 1957, is amended by adding a new section 9-A, to read as follows:

'Sec. 9-A. Contract of insurance. Any contract of insurance executed by the authority under this chapter shall be conclusive evidence of the eligibility of the mortgage for insurance, and the validity of any contract of insurance so executed shall be incontestable in the hands of an approved mortgagee except for fraud or misrepresentation on the part of the approved mortgagee.'

Sec. 5. R. S., c. 38-B, § 13-A, additional. Chapter 38-B of the Revised Statutes, as enacted by section 1 of chapter 421 of the public laws of 1957, is amended by adding a new section 13-A, to read as follows:

'Sec. 13-A. Certain records confidential. No member of the authority, agent or employee thereof, shall divulge or disclose any information obtained from the records and files or by virtue of such person's office concerning the name of any tenant or information supplied by any tenant, mortgagee or local development corporation in support of an application for mortgage insurance. Annual returns filed with the authority by a mortgagee, tenant or local development corporation shall be privileged and confidential.'