

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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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.

Sec. 3. R. S., T. 38, § 488, amended. Section 488 of Title 38 of the Revised Statutes, as enacted by section 2 of chapter 571 of the public laws of 1969, is amended to read as follows:

§ 488. Applicability

This subchapter shall not apply to any development in existence or in possession of applicable state or local licenses to operate or under construction on January 1, 1970 or to any development the construction and operation of which has been specifically authorized by the Legislature prior to the effective date hereof, or to public service corporation transmission lines except transmission lines carrying 125 kilovolts or more.

Effective September 23, 1971

Chapter 477

AN ACT Revising the Laws Relating to Baxter State Park.

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

Sec. 1. R. S., T. 12, § 900, additional. Title 12 of the Revised Statutes is amended by adding a new section 900 to read as follows:

§ 900. Purpose

Seldom has a more generous gift been presented to a people than has been given by Percival Proctor Baxter to the people of the State of Maine. It is incumbent upon them, the recipients, to preserve the trust impressed upon them, to ensure for themselves and for future generations the fullest use of Baxter State Park consistent with the desires of the donor.

Governor Baxter's expressed desires were that this park "shall forever be retained and used for state forest, public park and public recreational purposes . . . shall forever be kept and remain in the natural wild state . . . shall forever be kept and remain as a sanctuary for beasts and birds."

Lest those that follow, uncertain of Governor Baxter's wishes, seek to define his desires in ways inharmonious with their original intent, this section is enacted.

It shall be the object of the Baxter State Park Authority to preserve the grandeur and beauty of Maine's highest peak, Mount Katahdin, as well as the 45 other mountains, the numerous lakes, ponds and streams; to subordinate its own wishes to the intent of Governor Baxter; to recognize his wish that, in this era of change, one thing of natural beauty remain constant.

This intent must be interpreted so as not to separate this park from the people to whom it was given; but rather seek to have it enjoyed and "used to the fullest extent but in the right unspoiled manner."