

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND FOURTEENTH LEGISLATURE  
**FIRST REGULAR SESSION**

December 7, 1988 to July 1, 1989

Chapters 1 - 502

THE GENERAL EFFECTIVE DATE FOR  
NON-EMERGENCY LAWS IS  
SEPTEMBER 30, 1989

PUBLISHED BY THE REVISOR OF STATUTES  
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.

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J.S. McCarthy Company  
Augusta, Maine  
1989

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**PUBLIC LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED AT THE**  
**FIRST REGULAR SESSION**

**of the**  
**ONE HUNDRED AND FOURTEENTH LEGISLATURE**

**1989**

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B. The petition for approval of the proposed generating facility or lines shall contain such information as the commission by rule prescribes.

C. The petition for approval shall be set down for public hearing.

D. The commission shall issue its order within 15 months after the petition is filed with the commission unless the period is either extended by agreement of all the parties or by the commission upon its determination that the party seeking the extension would, because of circumstances beyond that party's control for which it has no reasonable substitute, and be unreasonably disadvantaged unless the extension were granted, provided that the party to that time had prosecuted its case in good faith and with due diligence.

**Sec. 2. 35-A MRSA §3132, sub-§1-A** is enacted to read:

**1-A. Purchase of capacity or energy and resulting line.** Whenever any electric utility or utilities propose to purchase any generating capacity, transmission capacity or energy as defined in section 3131 and erect any transmission line capable of operating at 100 kilovolts or more, the construction of which is required to carry the capacity or energy purchased, the following provisions shall apply.

A. The purchase of the generating capacity, transmission capacity or energy shall be subject to section 3133.

B. The construction of the resulting transmission line shall be subject to this section, except that the notice of intent must be filed no less than 2 months in advance of submitting the petition for approval and the commission shall issue its order within 12 months after the petition is filed.

**Sec. 3. 35-A MRSA §3132, sub-§2,** as enacted by PL 1987, c. 141, Pt. A, §6, is amended to read:

**2. Line not resulting from construction or purchase.** Except as otherwise provided in subsection 3-A, whenever any electric utility or utilities propose to erect within this State a transmission line capable of carrying operating at 100 kilovolts, or more, and the transmission line does not result from the construction of a generating facility pursuant to this section or the purchase of generating capacity, transmission capacity or energy, the utility or utilities shall file a petition for the approval of the proposed line. The petition is subject to the requirements of subsection 1, paragraphs B and C. The commission shall issue its order within 6 months after the petition is filed unless this period is extended as provided in subsection 1, paragraph D.

**Sec. 4. 35-A MRSA §3132, sub-§3-A** is enacted to read:

**3-A. Minor transmission line construction projects.** Each domestic electric utility shall file annually with

the commission a schedule of minor transmission line construction projects which it intends to carry out during the next 5 years concerning transmission lines that will be capable of operating at 100 kilovolts or more. A minor transmission line construction project shall be a transmission line construction project, the cost of which does not exceed 25% of the utility's current annual transmission property depreciation charge. The schedule shall describe each project, showing the length, location and estimated cost.

If the commission determines that an investigation of any minor transmission line construction project is warranted, it shall notify the electric utility within 60 days of the annual filing and the electric utility shall then be required to comply with the provisions of this section with respect to that project. The absence of commission notification requiring the utility to file a petition does not preclude such notification in subsequent years.

**Sec. 5. 35-A MRSA §3132, sub-§9,** as amended by PL 1987, c. 490, Pt. A, §5, is further amended to read:

**9. Filing fee; waiver of fee.** When a petition is filed under this section, the electric utility or utilities involved shall pay to the commission an amount equal to 2/100 of 1% of the estimated cost to erect, rebuild or relocate the facility provided that in the case of a petition filed under subsection 2, the fee shall be 4/100 of 1%. The utility may, at the time of the filing of notice of its intent to file the petition, or, in the case of lines subject to subsection 2, at the time of the filing of the petition, request the commission to waive all or a portion of the filing fee. The commission shall rule on the request for waiver within 30 days.

Filing fees paid as required under this subsection shall be segregated, apportioned and expended by the commission for the purposes of this section. Any portion of the filing fee that is received from any utility and is not expended by the commission to process the petition for a certificate of public convenience and necessity shall be returned to the utility.

**Sec. 6. 35-A MRSA §3132, sub-§12** is enacted to read:

**12. Waiver of notice.** The commission may waive any of the notice requirements in this section in advance of filing.

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective April 21, 1989.

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## CHAPTER 61

H.P. 220 - L.D. 300

An Act to Clarify the Maine Used Car Information Laws

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

10 MRSA §1472, as repealed and replaced by PL 1985, c. 429, §2, is amended to read:

**§1472. Exclusions**

Nothing in this chapter applies to motor vehicles sold, offered for sale or transferred for parts or scrap and not for transportation if that purpose is conspicuously written in the contract as follows: "This vehicle is sold for parts or scrap and not for transportation." Evidence outside the contract will be admissible to contradict such a contract provision. Nothing in this chapter applies to motor vehicles sold, offered for sale or transferred by a lessor to that vehicle's lessee or to an employee of the lessee, provided that any lessee who is otherwise a dealer, as defined in section 1471, subsection 2, is required to comply with the terms of this section in connection with any such sale or transfer to a person other than that lessee.

See title page for effective date.

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**CHAPTER 62**

**S.P. 174 - L.D. 331**

**An Act to Establish a Maine  
Self-service Storage Act**

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

10 MRSA c. 212 is enacted to read:

**CHAPTER 212**

**SELF-SERVICE STORAGE ACT**

**§1371. Short title**

This Act shall be known and may be cited as the "Maine Self-service Storage Act."

**§1372. Definitions**

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

**1. Default.** "Default" means the failure to perform on time any obligation or duty set forth in the rental agreement.

**2. Last known address.** "Last known address" means that address provided by the occupant in the rental agreement or the address provided by the occupant in a subsequent written notice of a change of address.

**3. Leased space.** "Leased space" means the individual storage space at the self-service facility which is rented to an occupant under a rental agreement.

**4. Occupant.** "Occupant" means a person, a sublessee, successor or assignee, entitled to the use of a leased space at a self-service storage facility under a rental agreement.

**5. Operator.** "Operator" means the owner, operator, lessor or sublessor of a self-service storage facility, an agent or any other person authorized to manage the facility. Operator does not mean a warehouseman, unless the operator issues a warehouse receipt, bill of lading or other document of title for the personal property stored.

**6. Personal property.** "Personal property" means movable property, not affixed to land. Personal property includes, but is not limited to, goods, wares, merchandise, motor vehicles, watercraft and household items and furnishings.

**7. Rental agreement.** "Rental agreement" means any written agreement that establishes or modifies the terms, conditions or rules concerning the use and occupancy of a self-service storage facility.

**8. Self-service storage facility.** "Self-service storage facility" means any real property used for renting or leasing individual storage spaces under a written rental agreement in which the occupants themselves customarily store and remove their own personal property on a self-service basis.

**§1373. Restrictions of use**

**1. Operator not to permit use for residential purposes.** An operator may not knowingly permit a leased space at a self-service storage facility to be used for residential purposes.

**2. Occupant not to use for residential purposes.** An occupant may not use a leased space for residential purposes.

**3. Occupant not to store certain goods.** An occupant is prohibited from storing goods that have a dangerous, harmful, offensive or noxious impact on the self-service storage facility or its surroundings or are a nuisance to self-service storage facility occupants, the operator or operator's employees.

**A.** If the operator has reason to believe that an occupant is storing goods that have resulted in a condition described in this subsection, the operator may remove and dispose of the goods thus causing that condition.

**B.** Before disposing of goods under this subsection, the operator shall:

(1) Notify the occupant of the condition by regular mail at the occupant's last known address or other address set forth by the occupant in the rental agreement;