

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Fifth Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
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State to any person or corporation or within any area, except as otherwise authorized by its charter or the general statutes of this State and provided that section 171, notwithstanding the last sentence of subsection 1 thereof, shall be applicable to any domestic electric utility acquiring and operating utility facilities outside this State.

§ 2310. Joint ownership of facility; waiver of right to partition

Notwithstanding Title 14, chapter 719, any domestic or foreign electric company that acquires or owns a joint or common interest with one or more other electric companies or other persons in any property which is used or acquired for use as a utility facility, may surrender or waive its right to have a partition by division or partition by sale of the property for a period which does not exceed the period for which the property is used or useful for electric utility purposes.

Effective September 23, 1971

Chapter 204

AN ACT Relating to Open Season on Fisher.

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

Sec. 1. R. S., T. 12, § 2358, sub-§ 1, amended. The 6th paragraph of subsection 1 of section 2358 of Title 12 of the Revised Statutes, as amended, is further amended to read as follows:

There shall be an open season on fisher during the ~~months~~ month of November ~~and December~~ of each year. The commissioner may lengthen, shorten or close such fisher season as he may deem necessary.

Sec. 2. **Effective date.** This Act shall take effect 90 days after the Legislature adjourns.

Effective September 23, 1971

Chapter 205

AN ACT Relating to Geographically Isolated Small High Schools.

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

R. S., T. 20, § 1281, sub-§ 10, amended. Subsection 10 of section 1281 of Title 20 of the Revised Statutes, as enacted by section 1 of chapter 335 of the public laws of 1967, is amended to read as follows:

10. **Size.** Any public school enrolling fewer than 100 pupils may be approved by the State Board of Education on an emergency or continuing basis only after the school committee or board of directors have presented in detail reasons for such emergency or continuing approval. **Any such school which is adjudged by the board to be geographically isolated shall**

receive the board's approval for a 6-year period subject to the right of the board to terminate its approval, on the ground of size, only if the school receives at least 5-years' notice of such termination, and subject also to the satisfactory meeting in every case of the other requirements of this section.

Effective September 23, 1971

Chapter 206

AN ACT Increasing the Coverage and Entry Fee of Small Claims Law and Defining Certain Procedures.

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

Sec. 1. R. S., T. 14, § 7451, amended. Section 7451 of Title 14 of the Revised Statutes is amended to read as follows:

§ 7451. Definitions

A "small claim" is any right of action cognizable by a court of law not involving the title to real estate in which the debt or damage claimed does not exceed ~~\$100~~ \$200.

Sec. 2. R. S., T. 14, § 7453, amended. Section 7453 of Title 14 of the Revised Statutes, as amended by section 4 of chapter 19 of the public laws of 1965, is further amended by inserting after the 2nd sentence the following new sentence:

The judge shall cause notice of the hearing as set by the clerk to be given to the plaintiff by ordinary mail, addressed to the plaintiff at the address given to the clerk by the plaintiff and an entry made on the docket by the clerk indicating the date of the mailing of the notice to the plaintiff shall be sufficient showing of notice to the plaintiff.

Sec. 3. R. S., T. 14, § 7453, amended. The 3rd sentence of section 7453 of Title 14 of the Revised Statutes is amended to read as follows:

The plaintiff or his authorized attorney shall at the same time pay an entry fee of ~~\$3~~ \$5, from which the clerk is authorized to expend the costs of giving notice to defendant and notice to plaintiff and the remainder to be retained by the court as costs.

Sec. 4. R. S., T. 14, § 7455, amended. Section 7455 of Title 14 of the Revised Statutes is amended by adding at the end the following sentence:

Whenever the plaintiff or his authorized attorney fails to appear on the return date, the complaint shall be dismissed. The judge may continue the case when he is satisfied that the plaintiff's failure to appear is for good and sufficient reason.

Effective September 23, 1971