

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE OF MAINE
SENATE
103rd LEGISLATURE

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H. P. 632,
L.D. 888, Bill, "An Act Relating to Municipal Regulation of
Community Antennae Television Systems."

Amend said Amendment by striking out all of the 2nd and 3rd
paragraphs and inserting in place thereof the following:

'Further amend said Bill by striking out all of that part
designated "H." and inserting in place thereof the following:

H. The municipal officers may contract on such terms and conditions as are in the best interests of the municipality, for the placing and maintenance of community antennae television systems and appurtenances along public ways. Systems located in accordance with such ordinances and contracts are not defects in public ways. The municipal officers may contract on such terms and conditions as are in the best interests of the municipality, including the grant of an exclusive franchise for a period not to exceed 10 years, for the placing and maintenance of community antennae television systems and appurtenances or parts thereof, along public ways and including contracts with operators of such systems which receive the services of television signal transmission offered by any public utilities using public ways for such transmission. No public utility shall be required to contract with the municipal officers pursuant to this paragraph. Systems located in accordance with such ordinances and contracts are not defects in public ways.

The municipal officers may establish such fees as are necessary to defray the costs of public notice, advertising and the expenses of hearings relating to applications for a contract, but in no case to exceed \$25 per applicant.

Any person, firm or corporation holding a permit to maintain a community antennae television system, issued prior to July 1, 1965, shall not be required to comply with this paragraph; provided, however, that any such permit holder whose system shall not be in operation on or before July 1, 1966 shall be required to comply with this paragraph and the original permit shall be null and void, provided further that cases in litigation on July 1, 1965 shall not be required to be in operation prior to July 1, 1967. A municipality shall be

entitled to injunctive relief in addition to any other remedies available by law to protect any rights conferred upon the municipality by this section or any ordinances enacted under the authority of this section.

The municipal officers of towns shall have exclusive power to enact all ordinances authorized by this subsection. Seven days' notice of the meeting at which said ordinances are to be proposed shall be given in the manner provided for town meetings, and such ordinances shall be effective immediately.

Any person, firm or corporation which is furnishing community antennae television service in any municipality prior to June 1, 1967, shall not be required to comply with this paragraph. This paragraph shall not apply to or affect the rights of parties to litigation pending in court on June 1, 1967, and the rights of such parties shall be determined by such litigation.'

Proposed by Senator HARDING of Aroostook.

Reproduced and distributed pursuant to Senate Rule No. 11A.

(Filing No. S-259)

6/12/67