

MAINE STATE LEGISLATURE

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ONE HUNDRED AND THIRD LEGISLATURE

Legislative Document

No. 888

H. P. 632

House of Representatives, February 15, 1967

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

BERTHA W. JOHNSON, Clerk

Presented by Mr. Snow of Caribou.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-SEVEN

AN ACT Relating to Municipal Regulation of Community Antennae Television Systems.

Preamble. The Maine Legislature hereby declares this Act necessary to clarify prior intention and possible ambiguities of Legislation relating to municipal regulation of community antennae television systems.

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

R. S., T. 30, § 2151, sub-§ 2, ¶ H, amended. Paragraph H of subsection 2 of section 2151 of Title 30 of the Revised Statutes, as enacted by chapter 377 of the public laws of 1965, is amended to read as follows:

H. 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 the placing and maintenance of community antennae television systems and appurtenances **or parts thereof or parts of any system for the transmission of television signals by wire** along public ways, **including such as are placed or maintained by any public utility.** 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.