

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

Ninety-seventh Legislature

OF THE

# STATE OF MAINE

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PUBLIC LAWS  
OF THE  
STATE OF MAINE

As Passed by the Ninety-seventh Legislature

1955

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## Chapter 258

### AN ACT Relating to Condemnation Proceedings by Water Districts.

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

Sec. 1. R. S., c. 52, § 23, amended. Section 23 of chapter 52 of the revised statutes is hereby amended to read as follows:

'Sec. 23. Necessity of taking determined. The owner of property which is the subject of appropriation for public purposes by any water district may, upon hearing, have the necessity of the particular appropriation determined by the Public Utilities Commission.'

Sec. 2. R. S., c. 52, § 24, amended. Section 24 of chapter 52 of the revised statutes is hereby amended to read as follows:

'Sec. 24. Proceedings. The owner of such property may, within 30 days after the beginning of condemnation proceedings, file in the office of the clerk of courts of the county where the property is situated the Public Utilities Commission, a petition to the superior court Commission for a decision as to the necessity of the appropriation. A copy of the petition and order of notice thereon, attested by the clerk, shall be served upon the respondent. Any justice of the superior court, in term time or vacation, upon such petition, may appoint 3 disinterested commissioners, residents of the county in which the property is situated, one of whom shall be learned in sanitary matters, to determine the necessity of the particular appropriation.'

Sec. 3. R. S., c. 52, § 25, amended. Section 25 of chapter 52 of the revised statutes is hereby amended to read as follows:

'Sec. 25. Proceedings before Commissioners. The Commissioners shall fix a time for hearing, within the county where the property is situated, and give written notice thereof to the owner and to the district seeking to acquire said property. At the hearing all parties in interest shall be heard either in person or by attorney, and witnesses may be summoned by either party and attendance compelled as before other judicial tribunals; the burden of proof to show the necessity of the particular taking shall rest upon the party seeking to acquire the property. The decision of a majority of the Commissioners shall be final as to questions of fact. The prevailing party shall recover costs as in actions at law in the Superior court and execution shall issue therefor.'

Effective August 20, 1955

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## Chapter 259

### AN ACT Relating to Regulation of Railroads by Public Utilities Commission.

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

R. S., c. 45, § 80, additional. Chapter 45 of the revised statutes is hereby amended by adding thereto a new section to be numbered 80, to read as follows:

‘Minimum Distance for Clearance.

Sec. 80. Minimum distance for clearance. The Public Utilities Commission shall have the right to prescribe a minimum distance for clearance of any structure, pole or other object over or beside any railroad track; provided, however, that the provisions of this section shall not apply to any structure, pole or other object in existence over or beside any railroad track on or before September 1, 1955.’

Effective August 20, 1955

## Chapter 260

AN ACT Repealing Certain Law Relating to Contents of Certificates of Organization of Telegraph, Telephone, Gas and Electric Companies.

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

R. S., c. 50, § 7, repealed. Section 7 of chapter 50 of the revised statutes is hereby repealed, as follows:

‘Sec. 7. Contents of certificates. The certificate provided by section 10 of chapter 53, to be prepared and filed in the office of the secretary of state by such telegraph or telephone company, shall set forth, in addition to the statements required by said section, the general route of telegraph or telephone lines proposed to be constructed by such corporation and the points to be connected thereby; and the certificate to be prepared and filed by such gas or electric company shall specify, in addition to the statements required by said section, the city or town or the adjoining cities or towns within which said corporation proposes to make, generate, sell, distribute or supply gas or electricity, or both, for the purposes named in section 3 of this chapter, and no corporation so organized shall be authorized to make, generate, sell, distribute or supply gas or electricity in any city or town not specified in said certificate.’

Effective August 20, 1955

## Chapter 261

AN ACT Amending the Laws on Registration of Podiatrists.

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

Sec. 1. R. S., c. 74, § 4, amended. Section 4 of chapter 74 of the revised statutes is hereby amended to read as follows:

‘Sec. 4. Examination; requirements. Except as otherwise provided in this chapter, any person before engaging in the practice of podiatry shall be examined as to his qualifications. Each applicant shall, at least 10 days before the date of his examination, present to the secretary of the Board of Registration in Medicine an application for a license to practice podiatry on a form prescribed by the examiners and containing satisfactory proof that said applicant is at least 21