

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Third Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Third Legislature
1967

§ 408. Surplus funds

The county commissioners of any county shall use the unexpended balances and the actual revenue in excess of estimates from the previous fiscal year to reduce the tax levy in the ensuing year.

Effective October 7, 1967

Chapter 416

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:

Sec. 1. 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, 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.

Sec. 2. R. S., T. 35, § 2301, amended. The first sentence of section 2301 of Title 35 of the Revised Statutes is amended to read as follows:

Corporations for the operation of telegraphs or telephones, and corporations for the operation of both telegraphs and telephones, ~~and corporations for the transmission of television signals by wire~~ and corporations for the purpose of making, generating, selling, distributing and supplying gas or electricity, or both, for lighting, heating, manufacturing or mechanical purposes, in any city or town, or 2 or more adjoining cities or towns, within the State, or for either or any of such purposes, may be organized under Title 13, section 71 to 79.

Effective October 7, 1967

Chapter 417

AN ACT Relating to Temporary Loans by State.

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

R. S., T. 5, § 150, repealed and replaced. Section 150 of Title 5 of the Revised Statutes is repealed and the following enacted in place thereof:

§ 150. Temporary loans by State

The Treasurer of State, with the approval of the Governor and Council, may negotiate a temporary loan or loans in anticipation of the issuance of bonds authorized but not yet issued, as provided by the Constitution of Maine, Article IX, section 14. Such temporary loan or loans shall be repaid from the proceeds of the bonds within one year from the date of the loan.

The Treasurer of State, with the approval of the Governor and Council, may negotiate a temporary loan or loans in anticipation of taxes levied for that fiscal year but not exceeding a total of \$2,000,000. The Treasurer of State is directed to pay such loan or loans in anticipation of taxes during such year and there is appropriated for any year in which the Treasurer of State and the Governor and Council deem it necessary to borrow in anticipation of taxes the sum of \$2,000,000.

Effective October 7, 1967