

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Fifth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with  
the Revised Statutes of 1964, Title 3 Section 164, Subsection 6.

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THE KNOWLTON AND MCLEARY COMPANY  
FARMINGTON, MAINE  
1971

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PUBLIC LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE  
One Hundred and Fifth Legislature  
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### § 818. Precautions at crossings

No team or vehicle shall be driven over any such crossing unless such team or vehicle shall first be stopped within a reasonable distance from the nearest rail of such crossing, and the operator, by looking and listening, shall have determined that nothing is approaching on the tracks of such railroad. Nothing in this section shall prevent the commission from making such further regulations for safety at any such crossing established under their direction, as they may deem expedient or necessary.

Effective September 23, 1971

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## Chapter 203

### AN ACT to Allow Electric Utilities to Participate in the Construction of Certain Utility Facilities.

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

R. S., T. 35, §§ 2308 - 2310, additional. Title 35 of the Revised Statutes is amended by adding 3 new sections, 2308 to 2310, to read as follows:

#### § 2308. Definitions

Wherever used or referred to in sections 2308 to 2310, unless a different meaning clearly appears from the context:

1. Domestic electric company. "Domestic electric company" means any entity organized under the laws of this State to generate, transmit or distribute electric energy.

2. Foreign electric company. "Foreign electric company" means a corporation, association, joint stock association or trust organized under the laws of a state other than this State, or a province of the Dominion of Canada, which is authorized under the laws of the state or province in which it is organized to generate, transmit or distribute electric energy.

3. Utility facility. "Utility facility" means an item of plant used or useful in the electric utility business, and shall include, but is not limited to, such items of plant as generating stations, transmission lines, office buildings and equipment and transportation equipment.

#### § 2309. Area within which domestic electric company may generate and transmit electric energy

Notwithstanding any limitation imposed by its charter, each domestic electrical company is authorized and empowered to generate and transmit electric energy and to acquire and operate anywhere within or without this State utility facilities or interests therein of whatever nature or form used or required to be used in its service to the public, provided nothing in this section shall be construed to authorize such a company to sell electric energy in this

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**