

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

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Legislative Document

No. 1315

H. P. 1091

House of Representatives, March 28, 1977

On motion of Mr. Kelleher of Bangor, referred to Committee on Public Utilities. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Wilfong of Stow.

Cosponsor: Mr. Davies of Orono.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-SEVEN

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**AN ACT to Amend and Repeal Certain Laws Relating to Public Utilities.**

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

**Sec. 1. 35 MRSA § 103, 2nd sentence is amended to read:**

Chapters 1 to 17 shall not prohibit such free or reduced rates by public utilities as is defined and provided for in the Acts of Congress entitled, "An Act to Regulate Commerce" and Act amendatory thereof, nor free or reduced transportation to the officers of leased lines or to police officers or firemen in uniform or of municipal fire apparatus, call men of fire departments wearing badges, while going to or returning from fires, chiefs, captains, sergeants, lieutenants and inspectors of police departments, in plain clothes and wearing badges ~~editors and regular reporters of newspapers~~; nor shall it be construed to prohibit any public utility from granting service at free or reduced rates for charitable or benevolent purposes, or for national or civilian defense purposes, nor to prohibit any public utility from supplying water and service free or at reduced or special rates to any person, firm or corporation for fire protection purposes through or by means of any apparatus or appliances furnished, installed or maintained by such person, firm or corporation, provided the same be approved by the commission; nor shall it be unlawful for any public utility to make special rates to its employees or in case of emergency service, nor shall the furnishing by any public utility of any product or service at the rates and upon terms and conditions provided for in any contract in existence January 1, 1913 be construed as constituting a discrimination or undue or unreasonable preference or advantage within the meaning specified.

**Sec. 2. 35 MRSA §§ 252, 253, and 254 are repealed.**

**Sec. 3.** 35 MRSA § 822, 2nd sentence is repealed.

**Sec. 4.** 35 MRSA § 902, 2nd sentence is amended to read:

Such ticket shall be good for such passage for ~~6 years~~ **1 year** from the day it was first issued.

**Sec. 5.** 35 MRSA §§ 905, 906 and 907 are repealed.

**Sec. 6.** 35 MRSA § 908, 1st and 2nd sentences are amended to read:

No person is entitled to transportation over a steam railroad or upon any ~~steamboat or~~ ferry or in a taxicab or public automobile, who does not on demand first pay the established fare. Whoever, while being transported over any steam railroad, ~~steamboat~~ ferry or in a taxicab or public automobile, willfully refuses on demand to pay the established fare, and whoever fraudulently evades payment of the established fare by giving a false answer, or by traveling beyond the place to which he has paid, or by leaving a train, ~~steamboat~~ or ferry, or taxicab or public automobile without paying the established fare, whether said fare is demanded or not, forfeits not less than \$5 nor more than \$20, to be recovered on complaint.

**Sec. 7.** 35 MRSA § 931, 1st and 2nd sentences are amended to read:

No person shall loiter or remain, without right, within any car or station house of a railroad corporation or ~~steamboat~~ upon the platform or grounds adjoining such station after being requested to leave the same by any railroad officer or ~~officer or agent of such steamboat~~. No person or driver or owner of any automobile or other vehicle shall solicit passengers in any station or on the station grounds or wharves of any railroad corporation or ~~steamboat corporation~~ in competition with such railroad corporation or ~~steamboat corporation~~ without a written permit signed by an officer of such corporation authorized to issue the same.

**Sec. 8.** 35 MRSA § 932 is amended to read:

**§ 932. Law posted**

The officers of all railroad corporations and ~~steamboat companies~~ shall cause a copy of section 931 to be posted in a conspicuous place at the several stations along the line of their roads and ~~route of their steamboats~~.

**Sec. 9.** 35 MRSA § 967, 1st sentence is amended to read:

If said railroad, its track, bridges, rolling stock and other appendages shall be found to be too much out of repair or its rolling stock and other appendages insufficient in amount to admit of safely or successfully operating the same, and the earnings are not sufficient to repair said railroad, its track, bridges, rolling stock and other appendages, or to rebuild or refurnish the same, said receivers may raise, by loan, a sufficient sum of money ~~not exceeding \$5,000 a mile~~ so to repair, rebuild or refurnish said railroad, its tracks, bridges, rolling stock and other appendages, said loan to bear a reasonable rate of interest ~~not exceeding 8% a year, payable semiannually, and the principal payable within 20 years.~~

**Sec. 10. 35 MRSA § 1173, 2nd sentence is amended to read:**

Said section shall not apply to any railroad company operating less than 20 miles of single track, nor to caboose cars used between the following point, namely: ~~between Waterville and Skowhegan;~~ Between Pittsfield and Hartland; between Burnham and Belfast; between Leeds Junction and Farmington; between Bangor and Bucksport; between Calais and Princeton; between Livermore Falls and Canton; and between Lewiston lower station and Bath, via Brunswick.

**Sec. 11. 35 MRSA § 2358 is repealed.**

**Sec. 12. 35 MRSA § 2441 is repealed.**

**Sec. 13. 35 MRSA § 3205, 2nd sentence is amended to read:**

~~For the breach of their bylaws they may impose penalties not exceeding \$30 for each offense; may purchase and hold real estate necessary for their purpose not exceeding \$30,000 in value; and with~~ With the written consent of the municipal officers they, or any person, may dig up or open any road for the purpose of laying their pipes or repairing or extending their aqueduct; but not so as to prevent the convenient passage of teams, carriages and motor vehicles.

### STATEMENT OF FACT

This bill repeals certain unnecessary laws relating to public utilities, including provisions permitting free or reduced transportation rates for editors and regular reporters of newspapers, concerning rail connection of steam railroad and electrical railroad companies and establishing railroad mileage books.