

# MAINE STATE LEGISLATURE

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N I N E T I E T H      L E G I S L A T U R E

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**Legislative Document**

**No. 235**

H. P. 680

House of Representatives, January 29, 1941.

Referred to Committee on Public Utilities and sent up for concurrence.  
500 copies ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. LaFleur of Portland.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-ONE

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**AN ACT Relating to the Construction of Branch Tracks by Railroad  
Corporations.**

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

**R. S., c. 63, § 30, amended.** Section 30 of chapter 63 of the revised statutes is hereby amended to read as follows:

**‘Sec. 30. Authority to build branch tracks.** Any railroad corporation, under the direction of the public utilities commission, may locate, construct, and maintain branch railroad tracks to any railroad station of another corporation or to connect with another railroad or to any mills, mines, quarries, gravel-pits, log landing or yard, warehouses and storehouses, **airports, piers, docks, shipyards,** educational institution, or manufacturing establishments erected, or in process of erection, in any town or township, through which the main line of said railroad is constructed, but not within any city without the consent of the city council, and for that purpose said corporation shall have all the powers and rights granted and be subject to all the duties imposed upon it by its charter.

The public utilities commission, upon petition of any party interested, after notice and hearing, may order any railroad company to construct, maintain, and operate such a branch railroad track to any such mill, mine,

quarry, log landing or yard, warehouse, storehouse, **airport, pier, dock, shipyard,** or manufacturing establishment owned or operated by the petitioner, whenever said commission shall find that such track is necessary for the reasonably convenient conduct of the business of the petitioner and is warranted by the volume of business to be handled thereon and can be so constructed, maintained, and operated with due regard to safety and the reasonable operation of the railroad; provided, however, that no such order shall be made by said commission unless the petitioner shall provide, at his own expense, the right of way for such portion of said track as is not located upon the land of the railroad company; shall pay all the expense of the construction and maintenance of said track; shall furnish such security for said payment and shall comply with such conditions as to fire release and the operation of such track as the commission may prescribe. Said commission shall also have authority upon petition of any party interested after notice and hearing to order any railroad company to alter any existing branch railroad track, whenever in its judgment such alteration is necessary for the reasonably convenient conduct of the business of the petitioner. All expenses of such alteration shall be paid by the petitioner. The commission, upon petition of any party interested, after notice and hearing, may permit any party owning or occupying premises adjacent to any track, constructed under this section, to use such track for receiving or holding freight in car-load lots upon such terms and conditions as it may prescribe, including the payment of a part of the original cost of such track and of its future maintenance and suitable fire releases.'