

MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

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

Legislative Document

No. 1228

S. P. 612

In Senate, January 14, 1942.

Referred to Committee on Public Utilities, sent down for concurrence and 600 copies ordered printed.

ROYDEN V. BROWN, Secretary.

Presented by Senator Dow of Oxford.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-TWO

**AN ACT Relating to Telephone Service to the Civilian Defense Corps
During the Emergencies.**

Emergency preamble. Whereas, a state of war exists between the United States and Germany, Italy, Japan and other foreign countries; and

Whereas, in the judgment of the legislature this fact creates an emergency within the meaning of section 16 of Article XXXI of the constitution of Maine, and requires the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

R. S., c. 62, § 38, amended. Section 38 of chapter 62 of the revised statutes is hereby amended to read as follows:

‘Sec. 38. Unlawful to receive or solicit rebates; exception. It shall be unlawful for any person, firm, or corporation knowingly to solicit, accept, or receive any rebate, discount, or discrimination in respect to any service rendered, or to be rendered by any public utility, or for any service in connection therewith whereby any such service shall in any manner, or by

any device whatsoever, be rendered free or at a rate less than named in the schedules in force as provided herein or whereby any service or advantage is received other than is herein specified; provided that this chapter 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 acts 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 first, nineteen hundred thirteen be construed as constituting a discrimination or undue or unreasonable preference, or advantage within the meaning specified; provided however, that when any such contract or contracts are or become terminable by notice of such utility the commission shall have power in its discretion to direct by order that such contract or contracts shall be terminated by such utility as and when directed by such order; and provided, further, that it shall be lawful for any public utility to make a contract for a definite term subject to the approval of the commission, for its product or service, but such published rates shall not be changed during the term of the contract without the consent of the commission.

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.