

MAINE STATE LEGISLATURE

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

Legislative Document

No. 144

H. P. 97

In House of Representatives, January 22, 1959

Referred to Committee on Public Utilities. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Jacques of Lewiston.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-NINE

AN ACT Relating to Powers of the Androscoggin and Kennebec Railway Company.

Emergency preamble. Whereas, acts of the Legislature do not become effective until 90 days after the Legislature adjourns unless passed as emergencies; and

Whereas, the following legislation is vitally necessary in order to provide bus service to the inhabitants of the City of Lewiston and vicinity; and

Whereas, the legislation is necessary to prevent undue hardship and inconvenience to the inhabitants of the Lewiston area; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require 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:

P. & S. L., 1937, c. 86, §§ 4 and 5, repealed. Sections 4 and 5 of chapter 86 of the private and special laws of 1937 are hereby repealed, as follows:

~~'Sec. 4. Failure to operate. Failure to operate such service over any route or part of route over which said company's electric railway is being operated shall not cause a forfeiture of the company's right to a certificate for such route or part of route as a matter of right under section 2 of this act. As to any route not being served, the company shall elect, when so required by the Public Utilities Commission, whether it will establish and maintain said bus service thereon or forfeit its right to said certificate as a matter of right thereafter to operate thereon.~~

Sec. 5. Franchise may be sold. Said company may, with the approval of the Public Utilities Commission, sell its franchise to operate bus service under this act, before or after it shall have undertaken to exercise the same, with or without its franchise to maintain and operate its electric railway system, and any property devoted thereto, to any person, firm or corporation, and any person, firm or corporation may purchase and exercise the same, subject to all of the provisions of this act. If the franchise granted by this act is sold separately from the company's franchise to operate its electric railway system, the purchaser shall possess the same rights and immunities in respect to routes over which the electric service is being rendered which said company has while both franchises are owned by it. Wherever in this act provision is made for simultaneous acts in respect of any matter, such action by the owners of said 2 franchises, after such sale, shall have the same effect as said acts by the company while it owns both franchises.'

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