

MAINE STATE LEGISLATURE

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(Emergency)

ONE - HUNDRETH LEGISLATURE

Legislative Document

No. 1624

H. P. 1177

House of Representatives, May 26, 1961

Referred to Committee on Public Utilities by Unanimous Consent. Sent forthwith to Senate and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Haughn of Bridgton.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-ONE

AN ACT to Provide Funds for Repairs to Landing Terminals of the Casco Bay Lines.

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

Whereas, public convenience and necessity require that safe, daily, year-round, passenger, freight and ferry service be maintained between the mainland and the islands of Casco Bay; and

Whereas, the future of the permanent and summer residents on the islands in Casco Bay depends upon the availability of transportation facilities; and

Whereas, in order to provide for this essential service the landing terminals of the Casco Bay Lines should be kept in good repair; and

Whereas, if these terminals are not repaired immediately all transportation facilities to the islands of Casco Bay will have to be stopped; 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:

Sec. 1. Repair of wharves in Casco Bay. There is appropriated from the Unappropriated Surplus of the General Fund the sum of \$105,000 for the purposes set forth in this act. Such sum shall be made available to the Bureau of

Public Improvements to be expended by said bureau for the purpose of rehabilitating the following wharves and land upon which they sit, with attached real estate:

Forest City Landing at Peaks Island, Great Diamond Island, Little Diamond Island, Ponce Landing and Cleaves Landing at Long Island, Chandler's Cove Landing at Chebeague Island; said wharves to be suitably rehabilitated for use in connection with the transportation of passengers, freight and vehicles for hire in accordance with the rules and regulations promulgated by the Public Utilities Commission.

Sec. 2. Lease. Such sums shall be available to the Bureau of Public Improvements for said purposes after the said bureau shall have executed a lease with Casco Bay Lines for the use of said wharves. Subsequent to the lease executed between the Bureau of Public Improvements and Casco Bay Lines, the bureau may execute similar leases with the successors or assigns of Casco Bay Lines.

The public may make use of the landing places on said islands without charge for the convenience of privately owned boats not engaged in transporting freight, passengers and vehicles for hire, provided that such public use shall in no way interfere with the necessary use of said facilities by said Casco Bay Lines or its successors or assigns in the conduct of its operation.

Said lease shall contain provisions to the following effect, among others:

1. The State shall maintain the said wharves.
2. Casco Bay Lines will, during the terms of said lease, maintain and operate at its own expense a regular ferry service to the herein named islands, as well as to other points now being served by Casco Bay Lines, as determined by the Public Utilities Commission.
3. The lease shall remain in effect so long as Casco Bay Lines continues to provide ferry service in Casco Bay.
4. Casco Bay Lines shall pay to the Bureau of Public Improvements for rental or use of said wharves an amount equal to 2% of its annual gross revenue. The first payment shall be made on October 1, 1962 and on said date annually thereafter. The amount so paid by Casco Bay Lines shall be expended to help maintain these facilities over the term of the lease and the bureau shall remit each payment promptly to the Treasurer of State. The amount paid by Casco Bay Lines shall be computed on the gross revenues reported in the preceding calendar year.

Sec. 3. Conveyance. It is understood that the aforesaid wharves, lands upon which they sit, and the attached real estate shall be transferred and conveyed as a gift to the State of Maine by instrument satisfactory to the Bureau of Public Improvements.

The Bureau of Public Improvements is authorized and empowered to accept such property in the name of the State, and the Bureau of Public Improvements is further authorized to enter into a contract for the rehabilitation of the herein

named wharves in accordance with the bids previously submitted to Casco Bay Lines and approved by the Public Utilities Commission.

Sec. 4. Approval of lease. The Governor and Council shall approve such lease and be satisfied as to all provisions thereof, whether herein required or not, and the lease shall be approved as to form by the Attorney General.

Sec. 5. Cumberland County; contribution. The county commissioners for the County of Cumberland are hereby authorized and directed to raise, in the year 1962, the sum of \$52,500, said sum to be paid over to the Treasurer of State. Such sum represents the said county's share of the cost of repairs and improvements to the aforementioned facilities. The sum mentioned in this section shall be in addition to the amount the County of Cumberland is authorized to raise in the year 1962, by virtue of Resolves, 1961, chapter 45. Said sum shall be appropriated, assessed, collected and applied to the above-mentioned purpose in the same manner as are other taxes as authorized by said Resolve, 1961, chapter 45.

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