

MAINE STATE LEGISLATURE

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ONE - HUNDRETH LEGISLATURE

Legislative Document

No. 675

H. P. 475

House of Representatives, January 24, 1961

Referred to the Committee on Highways, sent up for concurrence 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 Requiring Public Utilities Commission Approval of Rates for Ferry Service for North Haven, Vinalhaven, Islesboro, Swan's Island and Long Island Plantation.

Preamble. Whereas, the original enactment of P. & S. L., 1957, chapter 190, section 4 requires the Maine Port Authority to operate such ferry line or lines as a toll system to retire bonds issued as provided therein and to provide for all the expenses and maintenance incurred and that said Port Authority shall charge and collect such tolls for the use of the ferry line or lines by vehicles, freight and passengers as may from time to time be **determined and ordered by it**, having due regard to the value of services rendered, the cost of upkeep, maintenance, repairs and operation and interest on the bonds issued; and

Whereas, because of such requirements, said Port Authority is faced with the impossible duty of both determining what said rates and tolls should be and also sitting in judgment upon their reasonableness, leaving the only appeal therefrom by the patrons of the service to the said Port Authority or a court of law; and

Whereas, the services to be operated under said act, such as the scheduling of operations, including the arrival and departure times of vessels and number of trips operated, are wholly within the jurisdiction of said Port Authority with no other provision for review by any other competent authority, except a court of law; and

Whereas, it appearing desirable and in the public interest that provision be made for the review of the justness and reasonableness and otherwise lawfulness of rates and tolls assessed for service conducted under this act, and it further appearing to be in the public interest that the service operated thereunder, in-

cluding operating schedules, should be subject to review, such review to be placed within the authority of a state agency possessing expert knowledge of such matters, namely, the Public Utilities Commission; now, therefore,

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

P. & S. L., 1957, c. 190, § 4, repealed and replaced. Section 4 of chapter 190 of the private and special laws of 1957, as amended by section 2 of chapter 210 of the private and special laws of 1957, is repealed and the following enacted in place thereof:

‘Sec. 4. Tolls. The Maine Port Authority shall charge and collect such tolls for the use of such ferry line or lines by vehicles, freight and passengers as may from time to time be determined by it, subject to the approval of the Public Utilities Commission under the applicable provisions of the Revised Statutes of 1954, chapter 44. The rate and toll making function provided for herein shall, in addition to the general provisions of said chapter 44, have due regard for the value of services rendered, cost of upkeep, maintenance, repairs and operation and interest on the bonds issued. In addition, the operating schedules, which are from time to time issued by said Maine Port Authority, shall also be subject to the approval of the Public Utilities Commission within the general provisions of said chapter 44, having due regard to the need for the services rendered or to be rendered thereby.

All money collected as tolls shall be regularly deposited by the authority in some bank or trust company designated by the Treasurer of State, in accordance with the Revised Statutes of 1954, chapter 18, section 11.’