

MAINE STATE LEGISLATURE

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New Draft of: H. P. 1822, L. D. 2330
FIRST SPECIAL SESSION

ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 2550

H. P. 2007

House of Representatives, March 1, 1974

Reported by Mrs. McCormick from the Committee on Transportation and printed under Joint Rules No. 18.

E. LOUISE LINCOLN, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FOUR

AN ACT Relating to Pilots for the Port of Portland.

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

P. & S. L., 1917, c. 192, § 10, repealed and replaced. Section 10 of chapter 192 of the private and special laws of 1917, as repealed and replaced by chapter 24 of the private and special laws of 1927, is repealed and the following enacted in place thereof:

Sec. 10. Pilots. Said board shall appoint such number of pilots for the harbor of Portland as it deems necessary for the safety and convenience of commerce, fix and establish such compensation for the services of said pilots as may, from time to time, be deemed just and reasonable. Every foreign vessel and every American vessel under registry with a draft of 9 feet or more shall take a state pilot licensed under this chapter upon entering, departing or navigating upon the waters of Casco Bay and the approaches thereto. In case of refusal to take such a pilot, any such vessel shall pay the established pilot fee as if a pilot had been employed. A pilot boat shall not be obliged to remain on her station at all times. A pilot shall have a lien for his pilotage fees on all vessels liable therefor.

This section shall not apply to vessels under enrollment, fishing vessels or vessels powered by sail.

This section shall not apply to vessels primarily engaged in the carriage of passengers for hire which operate on a published annual schedule and which are not in excess of 500 feet overall length and have a draft not in excess of 20 feet, so long as the master of any such vessel has navigated that specific

vessel on the above described waters with the assistance of a pilot for a minimum of 15 round trips of ingress and egress to the above described waters. Provided, however, that a state pilot shall pilot such vessel as described in this paragraph upon the above described waters at least one round trip during each calendar month that the vessel operates upon the above described waters and at such other times as may be required by the Department of Transportation to ensure port safety after hearing and notice, pursuant to the Revised Statutes, Title 5, chapters 301 to 307, upon the petition of the Commissioner of Transportation.

It shall be unlawful for any person not licensed as a state pilot under this section to pilot, or offer to pilot, a vessel not exempt under the preceding paragraph. Violations of this provision shall be a misdemeanor punishable by a fine of \$500, or by imprisonment not to exceed 12 months, or by both, for each violation.

Persons desiring a branch shall make written application to said board, stating their qualifications therefor. Said applicant shall be a citizen of the United States of America and a resident and citizen of the State of Maine. The board shall make careful examination and investigation of the qualifications of the applicant and if satisfied that he has the requisite qualifications, may give the applicant a branch under the hands of its members and the seal of the board, authorizing such person to act as pilot for the term of 5 years from the date of his appointment; and thereafter, said board may, from time to time, renew the same.

Said branch may be revoked at any time by said board for negligence, incapacity or for any other reason that said board may deem sufficient. The branch, so granted, shall be recorded by the clerk of said board in a book kept for that purpose, entitled "Pilots for the Port of Portland;" and the clerk shall receive from the applicant, for making such record, the sum of \$5.

STATEMENT OF FACT

The purpose of this bill is to place pilotage standards on passenger carrying vessels operating out of the Port of Portland in order to insure safety in a harbor where the greatest traffic is in petroleum products. This bill would require any new master of a passenger carrying vessel exempted from the law to carry a state pilot during the first 15 round trips that he navigates upon Portland Harbor and would also require the utilization of a pilot upon such vessels at least once per month.