

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 1444

H. P. 1150

House of Representatives, March 25, 1975

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

EDWIN H. PERT, Clerk

Presented by Mr. Connolly of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT to Allow Nonprofit Corporations to Operate Ferries on Casco Bay.

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

Sec. 1. Incorporation. Corporations may be incorporated under Title 13, chapters 81 or 85 for the purpose of providing regularly scheduled ferry service upon the waters of Casco Bay, including but not limited to ferry service from the mainland of Cumberland County to the islands in Casco Bay, from those islands to the mainland of Cumberland County and among the islands themselves. Operation of ferry service in accordance with this section is deemed to be a benevolent purpose under Title 13, section 901 and to be a proper furnishing of services under Title 13, section 1553. These corporations may charge reasonable fees for the service provided in accordance with the laws under which they are incorporated.

Sec. 2. Corporations under this Act entitled to operate without the necessity of showing public convenience and necessity. Notwithstanding any other provision of the public laws or the private and special laws of Maine, corporations providing ferry service under section 1 which are incorporated under Title 13, chapters 81 or 85, are entitled to operate without the necessity of a showing that their operation is required by public convenience or necessity or other similar criteria.

Sec. 3. State docks to be made available. Any state-owned or state-operated docking facility bordering the waters of Casco Bay, or bordering the waters of a municipality bordering Casco Bay, together with any state-owned appurtenances to that facility, shall be made available for reasonable use at reasonable charge by a corporation operating under the provisions of section 1. Any presently operating service in Casco Bay having exclusive

rights to use said facilities shall make said facilities available to corporations incorporated under this Act on such terms and conditions as the Public Utilities Commission shall consider as just and reasonable.

Sec. 4. P&SL 1885, c. 495, § 10, as last repealed and replaced by P&SL 1963, c. 174, § 1, is repealed.

Sec. 5. P&SL 1885, c. 495, § 12, as enacted by P&SL 1963, c. 174, § 2, is repealed.

STATEMENT OF FACT

This bill will allow residents of the islands of Casco Bay an alternative source of transportation to and from the mainland. This will increase competition and thereby improve the service offered to them.