

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND THIRTEENTH LEGISLATURE
4

5 Legislative Document

NO. 82
6

7 H.P. 79 House of Representatives, January 26, 1987
8 Reference to the Committee on Utilities suggested and
ordered printed.

9 EDWIN H. PERT, Clerk
Presented by Representative Willey of Hampden.

10 Cosponsored by Representative Allen of Washington and
Representative Nicholson of South Portland.

11
12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-SEVEN
16

17 AN ACT to Repeal the Jurisdiction of the
18 Public Utilities Commission over
19 Transportation by Water in Casco Bay.
20

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

23 Sec. 1. 35 MRSA §15, sub-§13, as repealed and
24 replaced by PL 1985, c. 737, Pt. A, §91, is amended
25 to read:

26 13. Public utility. "Public utility" includes
27 every gas company, natural gas pipeline company,
28 electrical company, telephone company, telegraph com-
29 pany, water company, and public heating company and
30 ~~water carrier~~, as those terms are defined in this
31 section, and each of those utilities is declared to
32 be a public utility and to be subject to the juris-
33 diction, control and regulation of the commission,

1 and to this Title. "Public utility" does not include
2 the operation of a radio paging service, as that term
3 is defined in this section. Nothing in this subsection
4 precludes the jurisdiction, control and regulation
5 by the commission pursuant to private and special
6 act of the Legislature.

7 Sec. 2. 35 MRSA §15, sub-§24-A, as enacted by PL
8 1985, c. 481, Pt. A, §72, is repealed.

9 Sec. 3. 35 MRSA §3321, as enacted by PL 1975, c.
10 541, is amended to read:

11 §3321. Radar requirements on vessels operating in
12 Casco Bay

13 Every person, firm or corporation subject to the
14 regulations of the Public Utilities Commission in
15 conjunction with engaged in the transport of 6 or
16 more passengers by vessel, for compensation, between
17 or among the islands of Casco Bay and the mainland,
18 shall, after appropriate action by the Public Utilities
19 Commission Department of Transportation acting
20 pursuant to section 3322, provide an operable radar
21 device on each vessel operated by such person or corporation
22 which carries 6 or more passengers and shall
23 provide a person qualified to operate said the radar
24 device in accordance with all federal rules and regulations
25 relating to the operation of federally licensed
26 passenger carrying vessels.

27 Sec. 4. 35 MRSA §3322, as amended by PL 1985, c.
28 481, Pt. C, §30, is further amended to read:

29 §3322. Standards; promulgation; enforcement; penalty

30 The Public Utilities Commission Department of
31 Transportation shall adopt, within 30 days following
32 October 1, 1975, rules and regulations relating to
33 the use and installation of radar devices in the vessels
34 referred to in section 3321. These rules and
35 regulations shall include, but need not be limited
36 to, the specification of standards for the radar devices
37 to be carried by the vessels referred to in
38 section 3321 and the qualifications of those persons
39 responsible for the proper operation of said the radar
40 devices.

