

MAINE STATE LEGISLATURE

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EIGHTY-FOURTH LEGISLATURE

Senate Document

No. 146

S. P. 361

In Senate, Feb. 7, 1929.

Referred to Committee on Public Utilities and 500 copies ordered printed. Sent down for concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Murchie of Washington.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND TWENTY-NINE

AN ACT to Amend Chapter One Hundred Forty-nine of the Public Laws of Nineteen Hundred and Twenty-three Providing for Inspection, Registration and Safety of Vessels Engaged in Inland Navigation Under the Jurisdiction of the Public Utilities Commission.

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

Section 1. Section twelve of chapter one hundred forty-
2 nine of the public laws of nineteen hundred and twenty-three
3 is hereby amended by inserting after the word "thereof," in
4 the eleventh line the words 'and in other cases in its discre-
5 tion the commission may make such investigation,' so that
6 said section as amended shall read as follows:

'Sect. 12. Every vessel described in section four shall
2 comply with all the terms and provisions of this act, and
3 with all orders, regulations and requirements of the com-
4 mission; and if any such vessel is navigated without com-
5 plying therewith, or without the certificate of the commis-
6 sion, the owners and master, severally, shall forfeit to the
7 state five hundred dollars for each offense, half thereof to
8 the informer, unless otherwise provided, for which sum the
9 vessel so engaged is liable, and may be proceeded against
10 by attachment in a qui tam action, commenced within sixty
11 days after the commission of the offense, or said penalty
12 may be recovered by indictment. In case of damage by
13 collision, fire or explosion, the commission shall forthwith
14 investigate the cause thereof, and in other cases in its dis-
15 cretion the commission may make such investigation, and
16 if found to have been occasioned by a violation of any of
17 the aforesaid provisions, or of the orders, regulations and
18 requirements of said commission, they shall so certify to
19 the attorney general, and to the county attorney in the
20 county where the offense was committed, together with the
21 names of the parties and witnesses, and prosecution shall
22 be instituted forthwith against all parties liable. But if any
23 such vessel is deprived of the services of any licensed officer,
24 without the consent, fault or collusion of the master, owner
25 or any person interested in the vessel, the deficiency may be
26 supplied temporarily until another licensed officer can be
27 obtained. Provided, however, that if the owners and master

28 of such vessel seasonably notify the commission of the ex-
29 piration of its certificate, and request a new inspection and
30 certificate, and said commission fails to make said inspection
31 and issue said certificate, when the vessel is entitled thereto,
32 such owners or master are not liable for any of the penal-
33 ties provided in this chapter on account of navigating such
34 vessel without a certificate of inspection.'

Sect. 2. The following section shall be numbered fourteen
2 of said chapter one hundred forty-nine of the public laws of
3 nineteen hundred and twenty-three, and shall read as fol-
4 lows:

'Sect. 14. Each of the commissioners, for the purposes
2 mentioned in this chapter, may administer oaths, certify to
3 official acts, issue subpoenas, compel the attendance of wit-
4 nesses and the production of books, accounts, papers, docu-
5 ments and testimony, punish by fine and imprisonment for
6 contempt, and issue all processes necessary to the per-
7 formance of the duties imposed upon the commission by
8 this act.'

Sect. 3. Sections fourteen and fifteen of said chapter
2 one hundred forty-nine of the public laws of nineteen hun-
3 dred twenty-three are hereby renumbered to become sec-
4 tions fifteen and sixteen respectively.