

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
98th LEGISLATURE

HOUSE AMENDMENT "A" to H. P. 1059, L. D. 1514, Bill, "An Act to Create a Board of Pilot Commissioners for Penobscot Bay and River."

Amend said Bill by striking out the words "and River" in the Title.

Further amend said Bill by striking out everything after the enacting clause and inserting in place thereof the following:

Sec. 1. Board of Pilot Commissioners created; vacancies, how filled. Four persons shall be selected in the manner provided in Section 2, to be known as the Board of Pilot Commissioners for the Waters of Penobscot Bay, hereinafter referred to as the "Board." Whenever a vacancy occurs in the Board by reason of the expiration of the term of office, the Governor, with the advice and consent of the Council, shall fill such vacancy, and the person so appointed shall hold said office for a term of 4 years. In the event of death or resignation of any member of said Board or his removal from the State, the Governor, with the advice and consent of the Council, shall fill said vacancy by the appointment of a resident of the State for the unexpired portion of the term.

Sec. 2. Choice of members of first Board, how effected; tenure of office; organization. As soon as may be after the effective date of this act, the Governor, with the advice and consent of the Council, shall appoint 4 suitable persons, selected as provided in section 1, as Pilot Commissioners and said persons shall constitute the members of the Board hereby created. As soon as such appointments are made, the 4 persons so appointed shall meet and proceed to elect from their membership a Chairman. Said Board may adopt a corporate seal and may, then or at any time thereafter, adopt such rules and regulations as are necessary for the proper conduct of the business of said Board. At the same meeting, or as soon thereafter as practicable the Board shall determine by lot the term of office of each member, so that one member shall retire each year. A record of such action shall be made by the clerk of the Board; and a certificate thereof, signed by the Chairman and attested by the clerk, shall be filed and recorded in the records of the Secretary of State.

Sec. 3. Limits described. The waters of Penobscot Bay shall include, and said Board shall be vested with jurisdiction over, all tidal waters which are situated due north of a line extending from the western ear of Isle au Haut to Monhegan Island, so far as the jurisdiction for pilotage service of the State extends, including all channels and entrances into said Penobscot Bay, so far as the same are not under the exclusive control of the United States, not to include coves, inlets and other parts where the tide ebbs and flows within the limits of any port in said area.

(Over)

(Filing No. 346)

Sec. 4. Pilots; Board may issue a branch upon examination; shall be recorded; subject to revocation. Said Board shall appoint such number of pilots for the waters of Penobscot Bay 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 inward bound vessel, drawing 9 feet of water and upwards, except yachts, cruising schooners, coasting and fishing vessels, shall be held to pay such pilots the regular fees for pilotage, provided a pilot boat is on her station and prepared to furnish a pilot to such vessel; a pilot boat shall not be obliged to remain on her station at all times; every outward bound vessel, except as above provided, shall be held to pay the regular fees to the pilot who brought her in, or if no such pilot, then to the pilot first offering his services; a pilot shall have a lien for his pilotage fees on all vessels liable therefor. Persons desiring a branch shall make written application to said Board, stating their qualifications therefor, except that said branch shall be issued by the Board to any pilot who has as his principal occupation been regularly engaged in piloting in those waters during the 12 months next preceding the effective date of this act. Said 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. Thereafter, said Board may from time to time renew the same.

Said branch may be revoked at any time by said Board for negligence or incapacity. The branch so granted shall be recorded by the clerk of said Board in a book kept for that purpose, entitled "Pilots for the Waters of Penobscot Bay"; and the clerk shall receive from the applicant, for making said record, the sum of \$5.

Sec. 5. Board to report annually. The Board shall, on the first day of December of each year, or as soon thereafter as practicable, submit a report of the doings of the Board to the Governor and Council. It shall also make such recommendations respecting legislation both by the State and Federal Governments as in its opinion may be necessary or expedient to improve the pilotage service at said port.

Sec. 6. Compensation of members of Board. The members of the Board shall receive no compensation for services performed by them.'

Filed by Mr. Rollins of Belfast.

Reproduced and distributed under the direction of the Clerk of the House.

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