

MAINE STATE LEGISLATURE

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N I N E T Y - E I G H T H L E G I S L A T U R E

Legislative Document

No. 1514

H. P. 1059

House of Representatives, April 23, 1957.

Reported by Mr. Leathers from Committee on Towns and Counties for printing under joint rules No. 10 and recommitment.

HARVEY R. PEASE, Clerk.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-SEVEN

AN ACT to Create a Board of Pilot Commissioners for Penobscot Bay and River.

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

Sec. 1. Board of pilot commissioners created; vacancies, how filled. Four persons shall be selected in the manner provided in section 2, one of whom shall always be a resident of Penobscot county, one shall always be a resident of Hancock county, one shall always be a resident of Waldo county and one shall always be a resident of Knox county, to be known as the Board of Pilot Commissioners for the Harbors of East and West Penobscot Bays and Penobscot River, 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 county of which he was a resident at the time to his appointment, the Governor, with the advice and consent of the Council, shall fill said vacancy by the appointment of a resident of the same county 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 and a treasurer. Said board may appoint a

clerk who is not a member of the board, 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 counties of Penobscot, Hancock, Waldo and Knox and of the Secretary of State.

Sec. 3. Location of office; limits described. Said board shall have an office in the city of Belfast. The harbors of Penobscot Bays and River 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 Bays, so far as the same are not under the exclusive control of the United States, and also including all coves, inlets and other parts where the tide ebbs and flows within the limits of said bays and river.

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 harbor of Penobscot Bays and River 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 nine feet of water and upwards, except coasting and fishing vessels, shall be held to pay such pilots the regular fees for pilotage, whether their services are accepted or not, 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, whether their services are accepted or not, 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 cant, and if satisfied that he has the requisite qualifications may give the applicant, and if satisfied that he has the requisite qualification 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 one year 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, 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 Harbor of Penobscot Bays and River"; and the clerk shall receive from the applicant, for making said record, the sum of \$1.

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 county commissioners of the counties of Penobscot, Hancock, Knox and Waldo and 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 be entitled to receive from the county in which they respectively reside, such compensation for services actually performed by them as the county commissioners of said counties may from time to time fix and allow.