

# MAINE STATE LEGISLATURE

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LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE  
One Hundred and Sixth Legislature  
1ST SPECIAL SESSION  
JANUARY 2, 1974 TO MARCH 29, 1974  
AND BY THE  
One Hundred and Seventh Legislature  
REGULAR SESSION  
JANUARY 1, 1975 TO JULY 2, 1975

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN  
ACCORDANCE WITH THE REVISED STATUTES OF 1964, TITLE 3,  
SECTION 164, SUBSECTION 6.

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THE KNOWLTON AND MCLEARY COMPANY  
FARMINGTON, MAINE  
1975

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

AS PASSED BY THE

One Hundred and Sixth Legislature

AT THE

SPECIAL SESSION

January 2, 1974

to

March 29, 1974

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port of entry. Any development or activity within a foreign trade zone established in the State of Maine shall be subject to the laws which the Departments of Environmental Protection, Conservation, Marine Resources and Inland Fisheries and Game are responsible for administering, as well as any other law whose purpose is the protection of the environment.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective March 14, 1974

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## CHAPTER 206

### AN ACT Relating to Pilots for the Port of Portland.

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

P. & S. L., 1917, c. 192, § 10, repealed and replaced. Section 10 of chapter 192 of the private and special laws of 1917, as repealed and replaced by chapter 24 of the private and special laws of 1927, is repealed and the following enacted in place thereof:

Sec. 10. Pilots. Said board shall appoint such number of pilots for the harbor of Portland 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 foreign vessel and every American vessel under registry with a draft of 9 feet or more shall take a state pilot licensed under this chapter upon entering, departing or navigating upon the waters of Casco Bay and the approaches thereto. In case of refusal to take such a pilot, any such vessel shall pay the established pilot fee as if a pilot had been employed. A pilot boat shall not be obliged to remain on her station at all times. A pilot shall have a lien for his pilotage fees on all vessels liable therefor.

This section shall not apply to vessels under enrollment, fishing vessels or vessels powered by sail.

This section shall not apply to vessels primarily engaged in the carriage of passengers for hire which operate on a published annual schedule and which are not in excess of 500 feet overall length and have a draft not in excess of 20 feet, so long as the master of any such vessel has navigated that specific vessel on the above described waters with the assistance of a pilot for a minimum of 15 round trips of ingress and egress to the above described waters. Provided, however, that a state pilot shall pilot such vessel as described in this paragraph upon the above described waters at least one round trip during each calendar month that the vessel operates upon the above described waters and at such other times as may be required by the Department of Transportation to ensure port safety after hearing and notice.

It shall be unlawful for any person not licensed as a state pilot under this section to pilot, or offer to pilot, a vessel not exempt under the preceding paragraph. Violations of this provision shall be a misdemeanor punishable by a fine of \$500, or by imprisonment not to exceed 12 months, or by both, for each violation.

Persons desiring a branch shall make written application to said board, stating their qualifications therefor. Said applicant shall be a citizen of the United States of America and a resident and citizen of the State of Maine. The 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; and 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 Port of Portland;" and the clerk shall receive from the applicant, for making such record, the sum of \$5.

Effective June 28, 1974

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## CHAPTER 207

**AN ACT Making Additional Appropriations from the General Fund for the Current Fiscal Year Ending June 30, 1974, Allocations for the Administrative Expenses of the Bureau of Alcoholic Beverages, and the State Lottery Commission and Changing Certain Provisions of the Law Necessary to the Proper Operation of State Government.**

**Emergency preamble.** Whereas, Acts and resolves passed by the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of departments and institutions will become due and payable before July 1, 1974; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

### GENERAL FUND

#### APPROPRIATIONS FROM GENERAL FUND

**Sec. 1. Appropriations from General Fund.** In order to provide for necessary expenditures of government and other purposes for the fiscal year from July 1, 1973 to June 30, 1974 the following sums or as much thereof as shall