

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 1470

H. P. 1078

House of Representatives, March 11, 1971

Referred to Committee on State Government. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. McKinnon of South Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

AN ACT Relating to Representation of the Board of Harbor Commissioners
for the Harbor of Portland by the Attorney General.

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

P. & S. L., 1917, c. 192, § 20, additional. Chapter 192 of the private and special laws of 1917, as amended, is further amended by adding a new section 20 to read as follows:

Sec. 20. Board to be represented by the Attorney General. The board shall be considered to be a "state board" within the meaning of the Revised Statutes, Title 5, section 191, as amended, and the Attorney General shall render the board all legal services required by it in its official capacity.

STATEMENT OF FACT

The Board of Harbor Commissioners for the Harbor of Portland, which consists of members appointed by the Governor, with the advice and consent of the Council, has jurisdiction over and responsibility for the Port of Portland, the largest most active port in the State, through which almost 1% of the world's daily usage of oil passes. With increased traffic in the port and increased concern with the environment and increased applications for permits being submitted, and expanding federal and state laws relating to the use and protection of the coast, the duties and responsibilities of the board have become increasingly complex and technical, often requiring the aid of legal advice and assistance. Inasmuch as the board was created by the State Legislature to administer state laws concerning state waters, it should be considered a state board and entitled to legal representation by the Attorney General.