

MAINE STATE LEGISLATURE

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ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 1508

H. P. 1295

House of Representatives, March 30, 1981

Referred to the Committee on Marine Resources. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Post of Owls Head.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT to Establish a Marine Resources Development Commission.

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

Sec. 1. 12 MRSA c. 613 is enacted to read:

CHAPTER 613

MARINE RESOURCES DEVELOPMENT COMMISSION

§ 6271. Commission; members; compensation; chairman

1. Commission; members. There is established a Marine Resources Development Commission which shall consist of the following members:

A. The commissioner of Marine Resources and the Commissioner of Transportation; and

B. Three public members who shall be appointed by the Governor. The appointments shall be for 4 years or thereafter until a successor is appointed and qualified. Each public member shall be a Maine citizen. One member shall be engaged in commercial fisheries activities, another member shall be engaged in handling cargo through marine terminals and the 3rd member shall be a representative of the general public. Any vacancy shall be filled by an appointment for a full term.

2. Compensation. The appointed members shall receive \$25 a day and expenses when engaged in the discharge of their official duties.

3. **Chairman.** Each commissioner shall serve as chairman for one year every other year.

§ 6272. **Powers**

1. **Planning.** The commission shall investigate the need for development of harbor and port facilities, including industrial sites, required to fully utilize the State's marine resources. At least biannually, the commission shall report to the Governor and Legislature a detailed and comprehensive plan for the development of the State's ports and harbors. The plan shall include the present location and usage of all port facilities in the State; the present public and private planning and development activities underway to improve the ports and harbors; the anticipated needs for development of facilities and services; the future demands of the fishing industry, for general or special cargo handling, for recreational use and for passenger use; and any recommendations for improvements. The report may include recommendations for issuance of general obligation bonds of the State for particular developments, provided a complete analysis of the cost and benefits from the proposed projects is included. A public hearing shall be held on the report prior to submitting it to the Governor and the Legislature.

2. **Coordination.** The commission shall coordinate all public development activities relating to the utilization of marine resources and the development of ports and harbors. No state agency, authority or department shall acquire, construct or improve a port or harbor facility without prior approval from the commission. The commission shall coordinate with the Department of Transportation, Department of Marine Resources, Department of Conservation, Department of Environmental Protection, the Maine Port Authority and the State Planning Office, all planning activities related to the improvement or development of ports and harbors.

3. **Municipal assistance.** The commission may assist municipalities in developing their harbors and ports. The assistance may include the collection or development of environmental or engineering information, economic or financial analyses, planning and legal assistance and coordination of application, permit or approval proceedings before any state agencies. Assistance shall be given to municipalities in a manner consistent with the commission's plan for development of ports and harbors throughout the State.

4. **Acceptance of funds.** The commission may accept, use and administer funds, including federal, state and private funds, in accordance with established budgetary procedures which become available under this chapter. The commission may receive on its behalf or on behalf of the State and grants or gifts and may accept them.

§ 6273. **Employees; other agencies**

The commission may appoint an executive director and any other employees that are necessary to carry out its activities. The commission shall determine the duties and compensation of the executive director. The executive director, with

the approval of the commission, shall determine the duties and compensation of any other employees.

The State Development Office and the Departments of Transportation and Marine Resources shall provide staff assistance to the commission.

Sec. 2. Appropriation. The following funds shall be appropriated from the General Fund to carry out the purposes of this Act.

	1981-82	1982-83
MARINE RESOURCES DEVELOPMENT COMMISSION		
Positions	(1)	(1)
Personal Services	\$25,000	\$25,000
All Other	5,000	5,000
Total	\$30,000	\$30,000

STATEMENT OF FACT

The purpose of this bill is to establish a single central authority to plan and coordinate all state activities relating to the development of facilities to utilize the State's marine resources. The authority is a 5-member commission, composed of the Commissioner of Marine Resources; the Commissioner of Transportation; and 3 public members, one to represent fishing interests, one for cargo handling interests and a 3rd representative of the general public. The primary duties of the commission will be to develop comprehensive plans for the future of facilities required to utilize the state's marine resources, to coordinate state activities in this area and to provide technical assistance to municipalities.

This bill requires an appropriation of \$30,00 each year of the biennium. These funds will be used to employ the personnel to carry out this bill and to provide funds to contract for specialized assistance when it is necessary. The commission may receive additional funds from other sources.