

# MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION  
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE  
4

5 Legislative Document

No. 1698

6 S.P. 660

In Senate, December 20, 1985

7 Approved for introduction by a majority of the Legislative Council  
8 pursuant to Joint Rule 26.

9 Received by the Secretary of the Senate on December 20, 1985. Referred  
10 to the Committee on State Government and 1,600 ordered printed pursuant to  
Joint Rule 14.

Presented by Senator Perkins of Hancock.

11 Cosponsored by Senator Shute of Waldo, Senator Sewall of Lincoln and  
Representative Lacroix of Oakland.

12 STATE OF MAINE  
13

14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-SIX  
16

17 AN ACT Regarding the Appointment of Harbor  
18 Masters.  
19

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

22 38 MRSA §1, as amended by PL 1977, c. 696, §330,  
23 is further amended to read:

24 §1. Appointment; compensation

25 Selectmen of towns, on request by any person de-  
26 siring mooring privileges or regulation of mooring  
27 privileges for boats or vessels, shall annually ap-  
28 point a harbor master who shall be subject to all the  
29 duties and liabilities of that office as prescribed  
30 by law, and in case of the failure or refusal of the  
31 harbor master to perform these duties, he commits a  
32 civil violation for which a forfeiture of \$25 shall  
33 be adjudged, for the benefit of the town, for each  
34 intentional neglect or refusal to attend the same.  
35 The selectmen may establish his compensation and may

1 for cause by them declared in writing, after due no-  
2 tice to such officer and hearing thereon, if re-  
3 quested, remove him and appoint another in his stead.  
4 The selectmen may limit the authority of a harbor  
5 master to make arrests and carry a weapon.

6 STATEMENT OF FACT

7 The functions of a harbor master do not always  
8 require the authority to carry a weapon or make ar-  
9 rests, although that authority is given them by the  
10 law. That authority, whether it is needed or not, re-  
11 quires harbor masters to attend a 100-hour training  
12 course at the Maine Criminal Justice Academy. This  
13 training may not be necessary to perform the usual  
14 functions of a harbor master. This bill allows munic-  
15 ipal officers, when appointing a harbor master, to  
16 limit the authority of the harbor master to carry a  
17 weapon and make arrests, thus avoiding the training  
18 requirement which poses a hardship in some cases.

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