

# MAINE STATE LEGISLATURE

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(EMERGENCY)  
(New Draft of H.P. 992, L.D. 1338)  
(New Title)  
FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1795

H.P. 1316 House of Representatives, June 9, 1987  
Reported by Representative HUSSEY from the Committee on  
State and Local Government and printed under Joint Rule 2.  
EDWIN H. PERT, Clerk  
Original bill sponsored by Representative COLES of  
Harpwell. Cosponsored by Representatives VOSE of Eastport  
and CARROLL of Gray.

STATE OF MAINE

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

1                   **Resolve, Requiring the Department of**  
2                   **Conservation to Study the Problem of**  
3                   **Submerged Watercraft in Coastal**  
4                   **Waters of the State.**  
5

6           **Emergency preamble.** Whereas, Acts and resolves  
7 of the Legislature do not become effective until 90  
8 days after adjournment unless enacted as emergencies;  
9 and

10           Whereas, there are numerous sunken watercraft in  
11 the coastal waters of the State; and

12           Whereas, it is difficult, if not impossible, to  
13 trace the ownership of these watercraft; and

1           Whereas, many of these watercraft create visual  
2 blight, a hazard to navigation and a source of water  
3 pollution; and

4           Whereas, in considering a bill concerning this  
5 subject the Joint Standing Committee on State and Local  
6 Government was unable to determine the scope of  
7 the problem or identify a responsible governmental  
8 agency; and

9           Whereas, in the judgment of the Legislature,  
10 these facts create an emergency within the meaning of  
11 the Constitution of Maine and require the following  
12 legislation as immediately necessary for the preser-  
13 vation of the public peace, health and safety; now,  
14 therefore, be it

15           Department of Conservation to conduct study. Re-  
16 solved. That the Commissioner of Conservation shall  
17 study the subject of sunken vessels in the coastal  
18 waters of the State and shall make a report of his  
19 findings with any necessary legislation to the Joint  
20 Standing Committee on State and Local Government by  
21 February 1, 1988.

22           The commissioner shall determine from the Maine  
23 Municipal Association and the individual municipali-  
24 ties the vessels that they desire to have removed.  
25 The required report shall contain the number of these  
26 vessels, the cost of removing them, the length of  
27 time required if one work group is assigned to this  
28 problem full time, a plan for securing and financing  
29 their removal, an indication of what governmental  
30 body is or should be responsible for this work, rec-  
31 ommendations as to how to prevent this problem in the  
32 future and recommendations as to how owners of these  
33 watercraft might be identified and held responsible  
34 for this removal.

35           The commissioner shall consult with and seek the  
36 advice of the Department of Marine Resources, the De-  
37 partment of Transportation, the United States Coast  
38 Guard and the United States Army Corps of Engineers.

39           **Emergency clause.** In view of the emergency cited  
40 in the preamble, this resolve shall take effect when  
41 approved.

1 STATEMENT OF FACT

2 The original bill required the Department of Ma-  
3 rine Resources to remove certain sunken vessels from  
4 coastal waters. The committee learned that this would  
5 involve a considerable expense, could not determine  
6 exactly what that expense would be and could not de-  
7 termine the appropriate governmental body to be re-  
8 sponsible for this work.

9 This new draft requires that the Department of  
10 Conservation, through the Board of Public Lands,  
11 study this subject and report to the Joint Standing  
12 Committee on State and Local Government by February  
13 1, 1988.

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