

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1763

H.P. 1267

House of Representatives, June 19, 1989

Reported by Representative SKOGLUND from the Committee on Marine Resources and printed under Joint Rule 2.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Original bill sponsored by Representative COLES of Harpswell. Cosponsored by Representative LOOK of Jonesboro, Senator ESTES of York and Representative TOWNSEND of Eastport.

STATE OF MAINE

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

An Act Requiring the Bureau of Public Lands to Study the Best Method and Cost of Removing Abandoned Watercraft in the Coastal Waters of the State.

(NEW DRAFT OF H.P. 587, L.D. 791)

(NEW TITLE)

(EMERGENCY)



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

5 **Whereas,** the study proposed by this Act must be completed in
time for a report to be submitted to the Second Regular Session
7 of the 114th Legislature and, therefore, it is essential that
this study be initiated as soon as possible; and

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

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

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19 **Sec. 1. Purpose of study.** The Bureau of Public Lands is
charged and directed to conduct a study to determine the most
21 appropriate and cost effective method of disposing of abandoned
watercraft in the coastal waters of the State. This study shall
23 include a discussion of alternative methods available to dispose
of those watercraft, including a discussion of the permits which
25 may be necessary to dispose of those watercraft; an estimate of
the cost of disposal; and recommendations as to funding the cost
27 of disposal and methods, if any are appropriate, to expedite the
permit approval process for disposal of abandoned watercraft.
29 The study shall develop a definition of abandoned watercraft and
criteria to determine if the watercraft should be disposed of.
31 The study of disposal methods and associated costs shall be
limited to those vessels already identified in the report "Study
33 of the Problem of Submerged Watercraft in Coastal Waters of
Maine" submitted in January 1988, to the Legislature pursuant to
35 Resolve 1987, chapter 42, by the Bureau of Public Lands,
Department of Conservation. In addition, the study shall
37 identify, as well as possible, any additional vessels which have
been abandoned in the coastal waters of the State.

39 **Sec. 2. Report.** The bureau shall present its findings,
41 together with any recommended legislation, to the Second Regular
Session of the 114th Legislature by March 15, 1990.

43 **Sec. 3. Assistance.** The director of the bureau shall consult
45 with and seek the advice of the Department of Marine Resources,
the Department of Transportation, the United States Coast Guard
47 and the United States Army Corps of Engineers, as necessary. In
addition, the bureau may hire a marine salvage consultant to
49 assist in this study.

51 **Sec. 4. Allocation.** The following funds are allocated from
Other Special Revenue to carry out the purposes of this Act.

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1989-90

**CONSERVATION, DEPARTMENT OF
Public Lands Management Fund**

All Other \$10,000

Provides funds for contractual services for a marine salvage consultant to study methods of disposal of abandoned watercraft.

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

FISCAL NOTE

Enactment of this legislation results in the allocation of Other Special Revenue to the Department of Conservation, Public Lands Management Fund, in the amount of \$10,000 for fiscal year 1989-90. This allocation provides funds for anticipated contractual services. The Department of Conservation, Bureau of Public Lands, can absorb all costs associated with providing assistance for the proposed study and reporting requirement.

STATEMENT OF FACT

This new draft replaces the original bill. It requires the Bureau of Public Lands to conduct a study to determine the most appropriate and cost effective method of disposing of abandoned watercraft in the coastal waters of the State. In addition, the study shall identify, as well as possible, any additional vessels which have been abandoned in the coastal waters of the State.