

# MAINE STATE LEGISLATURE

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# 121st MAINE LEGISLATURE

## SECOND REGULAR SESSION-2004

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Legislative Document

No. 1680

S.P. 612

In Senate, December 17, 2003

### **An Act To Establish Harbor Master Standards and Course Requirements**

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on December 16, 2003. Referred to the Committee on Transportation pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 218.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator TURNER of Cumberland.  
Cosponsored by Representative KOFFMAN of Bar Harbor and  
Representatives: CLOUGH of Scarborough, NORBERT of Portland, ROSEN of Bucksport,  
WOODBURY of Yarmouth.

2  
3 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 38 MRSA §1, first ¶**, as amended by PL 1999, c. 682, §6,  
5 is further amended to read:

6 The municipal officers of a town, on request by any person  
7 desiring mooring privileges or regulation of mooring privileges  
8 for boats or vessels, shall appoint a harbor master for a term of  
9 not less than one year, who is subject to all the duties and  
10 liabilities of that office as prescribed by state law, municipal  
11 ordinances and regulations adopted by the municipal officers,  
12 municipal harbor commissioners, municipal port authorities or  
13 other such bodies empowered to regulate municipal harbors. The  
14 municipal officers shall conduct a background check prior to the  
15 appointment of a person as harbor master. The municipal officers  
16 may establish the harbor master's compensation and, for cause by  
17 them declared in writing, after due notice to the officer and  
18 hearing, if requested, remove the harbor master and appoint  
19 another one.

20 **Sec. 2. 38 MRSA §1-A** is enacted to read:

21 **§1-A. Harbor master training**

22  
23 A person serving as harbor master or deputy harbor master  
24 shall complete a basic harbor master course offered by the Maine  
25 Harbor Masters Association or its successor organization within  
26 one year after being appointed. The person shall complete an  
27 advanced harbor master course as soon as one is offered after the  
28 person has completed the basic harbor master course. The person  
29 shall complete a harbor master refresher course every 2 years.

30 **Sec. 3. 38 MRSA §11, sub-§4** is enacted to read:

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32 **4. Harbor master.** "Harbor master" means a person who is  
33 charged with the duty of enforcing the laws regulating tidal or  
34 navigatable waters of the State.

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39 **SUMMARY**

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41 This bill requires a municipality to conduct a background  
42 check on a person prior to appointing the person as a harbor  
43 master. This bill also requires harbor masters to complete  
44 harbor master courses offered by the Maine Harbor Masters  
45 Association or its successor organization. The bill also defines  
46 the term harbor master.