



122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 351

H.P. 264

House of Representatives, January 25, 2005

An Act To Provide the Portland Harbor Commission with the Authority To Arrest

Reference to the Committee on Marine Resources suggested and ordered printed.

Millicent M. Mac Jarland

MILLICENT M. MacFARLAND Clerk

Presented by Representative BLISS of South Portland. Cosponsored by Senator BARTLETT of Cumberland and Representatives: BARSTOW of Gorham, CAIN of Orono, CUMMINGS of Portland, DUCHESNE of Hudson, EBERLE of South Portland.

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

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Sec. 1. P&SL 1981, c. 98, §6, first sentence. as amended by P&SL 1993, c. 34, §2, is further amended to read:

б The commission shall from time to time adopt such rules as it considers necessary and proper, not inconsistent with law, for 8 keeping open convenient channels for the passage of vessels, promoting navigational safety in the waters under its control, 10 protecting public safety and protecting persons having riparian rights, including, without limitation, procedures, standards and fees, and subject to the provisions of section 5, subsection 1 of 12 this Act for the issuance of permits to build or extend wharves 14 and other structures or to fill or excavate; to limit the speed of vessels within the harbor; to permit moorings; and to cause the removal of derelict and abandoned vessels. 16

18 Sec. 2. P&SL 1981, c. 98, §7, sub-§2, first sentence is amended to read:

The harbor master or his the harbor master's deputies shall cause 22 any vessel or vessels anchoring or mooring within the channel lines established by the commission or anchoring in such a manner 24 that any portion of the hull, spars or booms extend extends beyond the lines, due to tide or wind, or which that the harbor 26 master finds in any way obstructing the free movement or anchorage or mooring of vessels in any part of the harbor, to move to such an anchorage or mooring area as-he the harbor master 28 designates for that purpose, and enjoy all the authority conferred upon harbor masters under the provisions of the general 30 law,-except-the-pewer-te-arrest.

SUMMARY

36 This bill gives the Portland Harbor Commission the power to arrest, making its powers consistent with those of other harbor 38 commissions around the State.