

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2005

Legislative Document

No. 1603

S.P. 584

In Senate, April 28, 2005

An Act To Establish Harbor Master Standards and Training Requirements

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.
Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

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

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator DAMON of Hancock.
Cosponsored by Representative PERCY of Phippsburg and
Senator: President EDMONDS of Cumberland, Representatives: ADAMS of Portland, ASH of
Belfast, CRESSEY of Cornish, EMERY of Cutler, KAELIN of Winterport.

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

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

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

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

§1-A. Harbor master training

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

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

4. Harbor master. "Harbor master" means a person who is charged with the duty of enforcing the laws regulating tidal or navigable waters of the State.

SUMMARY

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