

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 626

H.P. 462

House of Representatives, March 1, 2021

An Act To Clarify Temporary Mooring Privileges for Moorings on Inland Waters

Received by the Clerk of the House on February 25, 2021. Referred to the Committee on Inland Fisheries and Wildlife pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative STEARNS of Guilford.
Cosponsored by Senator DAVIS of Piscataquis and
Representatives: COREY of Windham, FAY of Raymond, LANDRY of Farmington,
MARTIN of Eagle Lake, ORDWAY of Standish.

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

2 **Sec. 1. 12 MRSA §13072, sub-§5**, as enacted by PL 2005, c. 492, §3, is amended
3 to read:

4 **5. Mooring sites.** The regulation of moorings in inland waters is governed by Title
5 38, except that Title 38 may not be construed to require the municipal officers of a town
6 that does not border or contain territorial waters to appoint a harbor master upon the request
7 of a person desiring mooring privileges or the regulation of mooring privileges. If the
8 municipal officers of a town that borders on or contains inland waters do not appoint a
9 harbor master, they shall designate an individual or entity who is responsible for dealing
10 with inquiries related to mooring privileges or the regulation of mooring privileges. This
11 individual or entity shall coordinate with appropriate law enforcement agencies about
12 issues related to the regulation of moorings under Title 38 or as otherwise provided in law.
13 Nothing in this subsection limits or expands a municipality's authority to regulate moorings
14 under Title 38 or as otherwise provided in law.

15 **Sec. 2. 12 MRSA §13072, sub-§6** is enacted to read:

16 **6. Model ordinance.** The department shall develop and periodically update a model
17 ordinance regarding moorings in inland waters for use by municipalities or other governing
18 entities. The department shall make the model ordinance available on its publicly
19 accessible website. The model ordinance must define "temporary mooring." In
20 development of the model ordinance, the department shall, at a minimum, consult with the
21 Maine Municipal Association and a representative of county commissioners.

22 **SUMMARY**

23 This bill requires municipalities that border or contain inland waters to have a
24 designated individual or entity responsible for dealing with inquiries related to mooring
25 privileges. It also directs the Department of Inland Fisheries and Wildlife to develop model
26 ordinance language to support municipalities or other governing entities that choose to
27 regulate moorings.