



STATE OF MAINE HARBOR MASTER'S ASSOCIATION

Incorporated 1983



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April 30, 2025

Senator Baldacci, Representative Roberts and esteemed members of the Inland Fisheries & Wildlife Committee, the Maine Harbor Master's Association is providing testimony in support of LD 1763, "An Act to Regulate Nonwater-dependent Floating Structures on Maine Waters."

For many years, Maine Harbor Masters and the municipalities that they are appointed by have struggled with nonwater-dependent floating structures. While it is believed that many municipal governments do not look to hinder one's ability to enjoy a piece of Maine's shared waters, there are concerns about tax payer equality, safety, and public health that accompany these structures that linger.

Tax Payer Equality:

- Tax payers in any municipality are provided a service and are charged a tax for that service. This is what keeps local governments moving.
- Services provided are typically in the form of police, fire, EMS, road maintenance, Harbor Master, general assistance, and more.
- Someone who chooses to live on a nonwater-dependent floating structure can circumvent the need to pay for these services that are typically incurred through property taxes. However they will still be provided that services in times of need (generally speaking with exceptions).

Safety:

- If an occupant of a nonwater-dependent floating structure needs public safety in terms of Police, Fire or EMS, how are these responders expected to get to these structures safely?
- There are no building codes in place for a nonwater-dependent structure. If that means that anyone can build a structure to their own standards, that puts public safety responders at serious risk not knowing what they are responding to.

Public Health:

- Similarly to building codes, there are little guidelines to ensure that these structures are containing their gray and black water. While there laws in place informing boaters of "no discharge areas", Maine Harbor Masters are concerned about the ability to inspect a nonwater-dependent structure.
- Those Harbor Master's with Law Enforcement powers are increasingly concerned about fourth amendment (illegal search and seizure) violations as these structures differ from a vessel.
- Illegal discharge of human waste can cause serious public health issues both on inland and coastal waters.

- Inland waters contribute to the large summer economy in Maine through boating, camping and swimming. Having human waste in the waters that could contaminate swimming areas would not be good for public health or the Maine economy.
- Similarly, in coastal waters shellfish harvesting is within the top 5 fisheries in the State of Maine. Human waste can cause closures to occur in productive shellfish harvesting areas.

The Maine Harbor Masters Association strongly encourages the passage of LD 1763. The MHMA feels the risks involved with allowing such structures, outweighs the need for nothing to be done.

Respectfully,

Maine Harbor Master's Association