

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

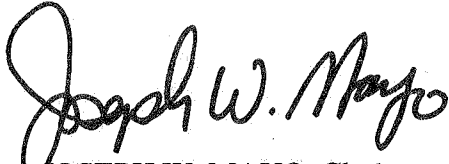
No. 506

H.P. 361

House of Representatives, January 28, 1997

**An Act to Provide Authority to Close Marine Waters to Fishing in the
Event of Contamination.**

Submitted by the Department of Marine Resources pursuant to Joint Rule 204.
Reference to the Committee on Marine Resources suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative PINKHAM of Lamoine.
Cosponsored by Senator MacKINNON of York and
Representatives: ETNIER of Harpswell, PINKHAM of Brunswick.

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

2
4 **Sec. 1. 12 MRSA §6001, sub-§29-A** is enacted to read:

6 **29-A. Marine waters.** "Marine waters" means all waters
8 below head of tide extending to the seaward limit of the federal
10 exclusive economic zone.

12 **Sec. 2. 12 MRSA §6172, sub-§1**, as amended by PL 1991, c. 309,
14 §2, is further amended to read:

16 **1. Commissioner's powers.** The commissioner may examine the
18 ~~eeastal~~ marine waters and the intertidal zone and adopt rules to
20 close ~~eeastal~~ marine waters or intertidal zone areas if the
22 commissioner determines that any marine organisms are or may
24 become contaminated or polluted. The commissioner may adopt or
26 amend rules as the commissioner determines necessary, setting
28 forth standards for closure of contaminated or polluted areas,
30 giving consideration to established state water quality
32 standards, the most recently adopted federal sanitation
34 standards, or other state or federal public health standards, the
36 most recent generally accepted research data and known sources of
 pollution in any area, in a manner to protect the public health
 and safety while allowing reasonable use of the State's marine
 organisms.

SUMMARY

30 Contamination and pollution can occur in waters beyond
32 Maine's territorial sea or coastal waters. Under broader federal
34 authorization, a regulatory action could be taken by states that
36 would apply to vessels registered in that state. This bill
 allows the Commissioner of Marine Resources to close waters to
 the extent of the federal exclusive economic zone, 200 miles, as
 it applies to Maine registered vessels.