

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 574

S.P. 183

In Senate, February 3, 2005

An Act To Amend Provisions of the Submerged Lands Laws

Submitted by the Department of Conservation pursuant to Joint Rule 204.
Reference to the Committee on Natural Resources 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 COWGER of Kennebec.
Cosponsored by Representative BRAUTIGAM of Falmouth and
Senator: NUTTING of Androscoggin, Representatives: MAREAN of Hollis, PERCY of
Phippsburg, TWOMEY of Biddeford.

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

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Sec. 1. 12 MRSA §1801, sub-§9, ¶A, as enacted by PL 1997, c. 678, §13, is amended to read:

A. All land from the mean low-water mark or a maximum of 1,650 feet seaward of the mean high-water mark, whichever is closer to the mean high-water mark, out to the seaward boundary of ~~eastal~~ territorial waters as defined in section 6001;

Sec. 2. 12 MRSA §1862, sub-§1, ¶D-1 is enacted to read:

D-1. "Large-scale project" means a project that extends beyond localized development adjacent to a single facility or property. "Large-scale project" does not include a project such as a pier, marina or boatyard or utility cables and pipelines serving neighboring communities or islands. "Large-scale project" includes, but is not limited to, an offshore wind farm and an interstate or international pipeline or cable and similar projects not directly associated with an upland property or neighboring community. The bureau shall determine what projects qualify as large-scale projects.

Sec. 3. 12 MRSA §1862, sub-§2, ¶E, as enacted by PL 1997, c. 678, §13, is amended to read:

E. Beginning January 1, 1997, the maximum rent to which any lease is subject may not exceed \$1,200 per year. This paragraph does not apply to a large-scale project.

SUMMARY

This bill removes a reference to coastal waters from the definition of "submerged lands" and provides that the State's submerged lands extend 3 nautical miles seaward to the boundary of "territorial waters." This bill also defines a large-scale project under the submerged lands leasing program and excludes such projects from the \$1,200 cap on annual rents.