

# MAINE STATE LEGISLATURE

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L.D. 1420

Date: 05-04-07

(Filing No. S- 85)

**MARINE RESOURCES**

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**STATE OF MAINE  
SENATE  
123RD LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 498, L.D. 1420, Bill, "An Act To Amend the Definition of "Territorial Waters" and Study Maine's Coastal Policies"

Amend the bill by striking out the title and substituting the following:

**'An Act To Make Technical Changes to the Definition of "Coastal Area" and To Aid the Implementation of the Taunton Bay Resource Management Plan'**

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

**'Sec. 1. 12 MRSA §6171, sub-§5,** as enacted by PL 1997, c. 123, §2, is amended to read:

**5. Rules to limit taking of marine organisms.** The commissioner may adopt rules that limit the taking of a marine organism for the purpose of protecting another marine organism. Rules adopted pursuant to this subsection are major substantive rules, pursuant to Title 5, chapter 375, subchapter ~~H-A~~ 2-A, except that rules adopted regarding the resource management plan of Taunton Bay are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

**Sec. 2. 38 MRSA §1802, sub-§1,** as enacted by PL 1985, c. 794, Pt. A, §11, is amended to read:

**1. Coastal area.** The "coastal area" encompasses all coastal municipalities and unorganized townships on tidal waters and all coastal islands. The inland boundary of the coastal area is the inland line of coastal town lines and the seaward boundary is ~~the outer limit of the United States territorial sea~~ the 3-nautical-mile line as shown on the most recently published Federal Government nautical chart.'

**COMMITTEE AMENDMENT**

1

**SUMMARY**

2       This amendment replaces the bill and, instead of amending the definition of a  
3 "territorial waters" it amends the definition of "coastal area" to clarify that that area only  
4 extends out 3 nautical miles. Current law requires that, whenever the Commissioner of  
5 Marine Resources adopts rules that limit the taking of one marine organism to protect  
6 another, those rules are major substantive rules. This amendment makes similar rules  
7 regarding the Taunton Bay Resource Management Plan routine technical instead of major  
8 substantive rules.