

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 1420

S.P. 498

March 15, 2007

**An Act To Amend the Definition of "Territorial Waters" and Study
Maine's Coastal Policies**

Reference to the Committee on Marine 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 DAMON of Hancock.
Cosponsored by Representative PERCY of Phippsburg.

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

2 **Sec. 1. 12 MRSA §6001, sub-§48-B**, as enacted by PL 2001, c. 272, §2, is
3 amended to read:

4 **48-B. Territorial waters.** "Territorial waters" means all waters of the State within
5 the rise and fall of the tide seaward to the ~~3-nautical-mile~~ 12-nautical-mile line as shown
6 on the most recently published Federal Government nautical chart, but does not include
7 areas above any fishway or dam when that fishway or dam is the dividing line between
8 tidewater and fresh water.

9 **Sec. 2. Development of policies, strategies and recommendations.** The
10 Department of Marine Resources and the Public Utilities Commission shall review the
11 coastal management policies contained in the Maine Revised Statutes, Title 38, chapter
12 19 and develop new policies that update those provisions, including, but not limited to,
13 policies relating to aquaculture, energy development and ecosystem-based management
14 of coastal and marine resources. The Department of Marine Resources and the Public
15 Utilities Commission shall develop a strategy to provide measures of accountability to the
16 Legislature and the general public by state agencies responsible for carrying out the
17 recommendations of the bay management study conducted pursuant to Public Law 2003,
18 chapter 660, Part B and for any future innovative management of coastal and marine
19 resources. The Department of Marine Resources and the Public Utilities Commission
20 shall develop policies and recommendations as directed by this Act and report those
21 policies and recommendations to the Joint Standing Committee on Marine Resources by
22 January 5, 2008. The Joint Standing Committee on Marine Resources may submit a bill
23 during the Second Regular Session of the 123rd Legislature to implement the policies and
24 recommendations of the report.

25 **SUMMARY**

26 This bill amends the definition of "territorial waters" in the Maine Revised Statutes,
27 Title 12, Part 9 to extend that area from 3 nautical miles to 12 nautical miles. It directs
28 the Department of Marine Resources and the Public Utilities Commission to review the
29 coastal management policies contained in Title 38, chapter 19 and develop new policies
30 and recommendations to update those provisions. The bill also directs the Department of
31 Marine Resources and the Public Utilities Commission to report their recommendations
32 to the Joint Standing Committee on Marine Resources by January 5, 2008.