

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 723

H.P. 528

House of Representatives, February 11, 2019

**An Act To Enhance Resource Management of Submerged Lands
beneath Impounded Waters**

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative RYKERSON of Kittery.
Cosponsored by Senator MIRAMANT of Knox and
Representatives: ALLEY of Beals, DOUDERA of Camden, EVANGELOS of Friendship,
McDONALD of Stonington, ZEIGLER of Montville.

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

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

3 D-2. "Impounded waters" means waters not subject to or marginally subject to tidal
4 action resulting from a barrier or obstruction constructed in or across a watercourse
5 impounding or partially impounding the water.

6 **Sec. 2. 12 MRSA §1862, sub-§14** is enacted to read:

7 **14. Impounded waters.** For the purposes of this section, all lands beneath the mean
8 low-water mark of impounded waters that were impounded prior to January 1, 1997 are
9 state-owned submerged lands held in trust for the benefit of the people of the State.

10 **SUMMARY**

11 This bill provides that all lands beneath the mean low-water mark of waters
12 impounded prior to January 1, 1997 are state-owned submerged lands held in trust for the
13 benefit of the people of Maine.