

MAINE STATE LEGISLATURE

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N I N E T Y - N I N T H L E G I S L A T U R E

Legislative Document

No. 933

H. P. 642

House of Representatives, February 25, 1959

Referred to the Committee on Judiciary, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Emmons of Kennebunk.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-NINE

AN ACT Relating to Jurisdiction Over Offshore Waters and Submerged Lands.

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

R. S., c. 1, §§ 1-A, additional. Chapter 1 of the Revised Statutes is amended by adding 4 new sections to be numbered 1-A to 1-D, to read as follows :

'Sec. 1-A. Jurisdiction over offshore waters and submerged land. The jurisdiction of this State shall extend to and over, and be exercisable with respect to, waters offshore from the coasts of this State as follows :

I. The marginal sea to its outermost limits as said limits may from time to time be defined or recognized by the United States of America by international treaty or otherwise ;

II. The high seas to whatever extent jurisdiction therein may be claimed by the United States of America, or to whatever extent may be recognized by the usages and customs of international law or by any agreement, international or otherwise, to which the United States of America or this State may be party ;

III. All submerged lands, including the subsurface thereof, lying under said aforementioned waters.

Sec. 1-B. Ownership of offshore waters and submerged land. The ownership of the waters and submerged lands enumerated or described in section 1-A shall be in this State unless it shall be, with respect to any given parcel or area, in any other person or entity by virtue of a valid and effective instrument of conveyance or by operation of law.

Sec. 1-C. Certain jurisdiction and ownership unimpaired. Nothing contained in sections 1-A to 1-D shall be construed to limit or restrict in any way:

I. The jurisdiction of this State over any person or with respect to any subject within or without the State which jurisdiction is exercisable by reason of citizenship, residence or for any other reason recognized by law;

II. Jurisdiction or ownership of or over any other waters or lands thereunder, within or forming part of the boundaries of this State. Nor shall anything in sections 1-A to 1-D be construed to impair the exercise of legislative jurisdiction by the United States of America over any area to which such jurisdiction has been validly ceded by this State and which remains in the ownership of the United States of America.

Sec. 1-D. Existing jurisdiction or ownership not waived. Nothing in sections 1-A to 1-D shall alter the geographic area to which any statute of this State applies if such statute specifies such area precisely in miles or by some other numerical designation of distance or position. However, nothing in any such statute or in sections 1-A to 1-D shall be construed as a waiver or relinquishment of jurisdiction or ownership by this State over or in any area to which such jurisdiction or ownership extends by virtue of sections 1-A to 1-D or any other provision or rule of law.'