

MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION
2

3 ONE HUNDRED AND TENTH LEGISLATURE
4

5 **Legislative Document**

No. 1927

7 H. P. 1955 House of Representatives, February 9, 1982
Filed by the Joint Standing Committee on Marine Resources pur-
suant to Joint Rule 18. Approved by the Legislative Council June 4,
1981.

8 Reported by Representative Fowlie from the Committee on Marine
Resources and ordered printed under Joint Rules No. 18.

EDWIN H. PERT, Clerk

9
10 STATE OF MAINE
11

12 IN THE YEAR OF OUR LORD
13 NINETEEN HUNDRED AND EIGHTY-TWO
14

15 AN ACT to Allow the Transfer of Aquaculture
16 Leases.
17

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

19 **Sec. 1.** 12 MRSA §6072, sub-§2, ¶¶B and C, as enacted
20 by PL 1977, c. 661, §5, are amended to read:

21 B. A lease shall not exceed an area of 5 acres; and

22 C. No applicant shall be permitted to lease more than
23 200 acres; and .

24 **Sec. 2.** 12 MRSA §6072, sub-§2, ¶D, as enacted by PL
25 1977, c. 661, §5, is repealed.

26 **Sec. 3.** 12 MRSA §6072, sub-§12-A is enacted to read:

1 This creates an obstacle to development of the industry,
2 because investors are reluctant to finance aquaculture oper-
3 ations if those operations cannot be sold to new operators
4 together with leased water area rights.

5 This bill eliminates the prohibition on transferring
6 aquaculture leases. The present law enables the State to
7 revoke a lease if the lessee violates conditions stipulated
8 in the lease or if the lessee's activities are deemed harm-
9 ful to marine organisms. This bill also provides that the
10 Commissioner of Marine Resources may only approve lease
11 transfers if he determines that the transfer:

12 1. Will not violate the standards of the original
13 lease;

14 2. Will not circumvent the preference the present law
15 provides for the Department of Marine Resources, ripar-
16 ian owners and fishermen who traditionally fish in or
17 near the lease area; and

18 3. Is not for speculative purposes.

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