

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

No. 1722

H.P. 1149

House of Representatives, April 17, 2025

An Act to Simplify the Regulation of Aquaculture Leases

Reference to the Committee on Marine Resources suggested and ordered printed.

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

ROBERT B. HUNT
Clerk

Presented by Representative RIELLY of Westbrook.

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

Sec. 1. 12 MRSA §6072, sub-§12, as amended by PL 2023, c. 564, §5, is repealed and the following enacted in its place:

12. Renewal. Upon the receipt of an application for renewal from a person who holds a lease under this section, the commissioner shall renew the lease as soon as possible following receipt of the complete application.

Sec. 2. 12 MRSA §6072, sub-§12-D, as enacted by PL 2023, c. 564, §7, is repealed and the following enacted in its place:

12-D. Conversion of limited-purpose lease for commercial purposes. A person who holds a limited-purpose lease for commercial purposes pursuant to section 6072-A may apply to convert that lease to a lease under this section as long as the application is for the same lease area and same operations authorized by the limited-purpose lease. The commissioner shall convert the limited-purpose lease as soon as possible following receipt of a complete application that meets the requirements of this subsection.

Sec. 3. 12 MRSA §6072-A, sub-§20-A, as enacted by PL 2023, c. 564, §12, is amended to read:

20-A. Extension for conversion of a commercial lease. If a person who holds a limited-purpose lease for commercial aquaculture research and development submits an application under section 6072, subsection 12-D for that same lease area and the same operations before the expiration of that limited-purpose lease, and if the commissioner does not make a decision under section 6072, subsection 12-D before the expiration of that limited-purpose lease, the limited-purpose lease remains in effect until the commissioner makes a decision under section 6072, subsection 12-D. If the commissioner grants the person a lease under section 6072, subsection 12-D, that the person's limited-purpose lease remains in effect until the effective date of the lease issued under section 6072, subsection 12-D. If the commissioner denies that person a lease under section 6072, subsection 12-D, that person's limited-purpose lease remains in effect until 30 days after the commissioner's decision.

Sec. 4. Department of Marine Resources to amend rules and forms. The Department of Marine Resources shall amend its rules and modify forms as necessary to reflect the changes made by this Act related to the renewal of aquaculture leases under the Maine Revised Statutes, Title 12, section 6072 and the conversion of a limited-purpose lease for commercial aquaculture research and development under Title 12, section 6072, subsection 12-D.

SUMMARY

This bill amends provisions of law governing aquaculture leases. The bill changes the process for renewing a standard aquaculture lease, including the language that designates the renewal of a lease as an adjudicatory proceeding under the Maine Administrative Procedure Act, by replacing the existing process with language that requires the Commissioner of Marine Resources to renew the lease as soon as possible upon receipt of a complete application. A standard aquaculture lease refers to a lease granted under the Maine Revised Statutes, Title 12, section 6072.

1 The bill also replaces the existing process to convert a limited-purpose lease for
2 commercial aquaculture research and development to a standard aquaculture lease for the
3 same lease area and same operations authorized by the limited-purpose lease. The bill
4 requires the commissioner to approve the conversion as soon as possible upon receipt of a
5 complete application that meets those requirements.

6 The bill directs the Department of Marine Resources to update its rules and forms
7 consistent with this legislation.