

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 1032

H. P. 766

House of Representatives, February 23, 1971

Referred to Committee on Fisheries and Wildlife. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Lewin of Augusta.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

AN ACT to Clarify Marine Research under the Sea and Shore Fisheries Law.

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

Sec. 1. R. S., T. 12, § 3703, amended. The first sentence of section 3703 of Title 12 of the Revised Statutes, as amended by section 1 of chapter 527 of the public laws of 1967, is further amended to read as follows:

Any person or corporation interested in scientific research relating to shellfish, or other fish over which the commissioner has supervision, or in the cultivation and development of ~~the shellfish industry or the, finfish or seaweeds~~, including but not limited to Irish moss, for economic purposes, may apply to the commissioner setting forth the desire to make experiments relative to the cultivation, conservation and harvesting of particular marine species or seaweeds.

Sec. 2. R. S., T. 12, § 3703, sub-§ 3, amended. The first sentence of subsection 3 of section 3703 of Title 12 of the Revised Statutes is amended to read as follows:

If, upon hearing, the commissioner is satisfied that the interests of the State will be promoted by the experiments, he shall issue a certificate setting apart so much of such shores, flats and water privileges, not exceeding one acre in extent to any one applicant, for such length of time, not exceeding a period of 6 years, as in his judgment may be necessary and proper to accomplish the ends sought, **except that in waters and flats closed under Section 3503 by reason of pollution, the area may exceed one acre and the certificate may be renewed for additional periods of not more than 6 years.**

Sec. 3. R. S., T. 12, § 3705, amended. Section 3705 of Title 12 of the

Revised Statutes, as enacted by chapter 60 of the public laws of 1965, is amended by adding after the 2nd sentence 2 new sentences to read as follows:

The department, under the direction of the commissioner, is authorized to negotiate, acquire and hold conservation restrictions or easements under Title 33, sections 667 and 668. Such restrictions or easements may apply to such intertidal and upland areas and may govern such uses and alterations, as in the judgment of the commissioner, are significant to the conservation, rehabilitation or enhancement of renewable marine and estuarine resources.

STATEMENT OF FACT

The propagation of finfish ranks in importance with shellfish and seaweeds to Maine's fisheries industry. The greater productive use of closed flats and of conservation easements would contribute to the development of the commercial fishery resources of the State.