

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 1165

7 H.P. 824

House of Representatives, March 28, 1985

8 Referred to the Committee on Marine Resources. Sent up for concurrence
9 and ordered printed.

10 EDWIN H. PERT, Clerk

Presented by Representative Scarpino of St. George.

11
12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FIVE
16

17 AN ACT to Limit Aquaculture Leases to a
18 Period of 5 years.
19

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

22 Sec. 1. 12 MRSA §6072, sub-§2, ¶A, as enacted by
23 PL 1977, c. 661, §5, is amended to read:

24 A. A lease shall not exceed a term of ~~10~~ 5
25 years;

26 Sec. 2. 12 MRSA §6072, sub-§12, as enacted by PL
27 1977, c. 661, §5, is amended to read:

28 12. Renewal. ~~The~~ Upon the expiration of the
29 lease, the lease site shall be deemed open to the
30 general public. Before the commissioner renews
31 any lease, he must make a determination that the
32 renewal constitutes the best economic use of that
33 site. After making such a determination, the
34 commissioner ~~shall~~ may grant a lease renewal un-

1 less the prior lessee has not complied with the
2 lease agreement during its term, substantially no
3 research or aquaculture has been conducted, or
4 the commissioner finds that it is not in the best
5 interest of the State to renew the lease. Renew-
6 als may be granted if applied for no later than
7 30 days after the lapse of the prior lease. A
8 lease renewal shall be an adjudicatory proceeding
9 under the Maine Administrative Procedure Act, Ti-
10 tle 5, chapter 375, subchapter IV. Public notice
11 shall be given as required under subsection 6 of
12 this section and a hearing shall be held if it is
13 requested by an interested person.

14 STATEMENT OF FACT

15 The purposes of this bill are to limit
16 aquaculture leases to a period of 5 years and to pro-
17 vide that the commissioner must make a determination
18 that a renewal of the lease is based on the best eco-
19 nomic use of the site prior to making any renewal.

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