MAINE STATE LEGISLATURE

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2	(Filing No. S-322)
4	(Filing No. 5-966-)
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8	STATE OF MAINE SENATE 116TH LEGISLATURE
10	FIRST REGULAR SESSION
12	COMMITTEE AMENDMENT "A" to S.P. 531, L.D. 1559, Bill, "A
14	Act to Clarify the Law Concerning Aquaculture"
16	Amend the bill by striking out all of section I and inserting in its place the following:
18	'Sec. 1. 12 MRSA §6072, sub-§1-A, as enacted by PL 1991, c.
2 0	381, §3, is amended to read:
22	1-A. Lease requirement; finfish and suspension culture. Except as provided in paragraphs A and, B and B-1, it is unlawful
24	for a person who does not have a lease issued by the commissioner under this section to construct or operate in the coastal waters
26	of the State a facility for the culture of finfish in nets, pens or other enclosures or for the suspended culture of shellfish any
28	other marine organism.
30	A. The commissioner may grant an exemption from this subsection for legitimate research for a term not to exceed
32	2 years, renewable upon application. Legitimate research does not include commercial aquaculture production of
34	finfish-er-shellfish marine organisms in the coastal waters of the State.
36	B. A person operating a facility in the coastal waters of
38	the State, on or before the effective date of this subsection, for the culture of finfish in nets, pens or
40	other enclosures or for the suspended culture of shellfish
4.2	that is not leased under this section must register the
42	facility with the commissioner on or before January 1, 1992 on a form specified by the commissioner. A person
44	registering under this paragraph must submit a completed lease application on or before July 1, 1992. A registrant
46	whose application under this paragraph is denied shall

related structures from the coastal waters of the State.

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immediately cease operations at the facility and remove all

2	B-1. A person operating a facility in the coastal waters of
	the State for the suspended culture of a marine organism
4	other than shellfish that is not leased under this section
	must register the facility with the commissioner on or
6	before January 1, 1994 on a form specified by the
	commissioner. A person registering under this paragraph
8	must submit a completed lease application on or before July
	1, 1994. A registrant whose application under this
10	paragraph is denied shall immediately cease operations at
	the facility and remove all related structures from the
12	coastal waters of the State.
	•
14	C. The commissioner may not consider an application for a
	lease under this section on an area registered under
16	paragraph B or B-1 from a person other than the registrant
	prior to rendering a final decision on any application
18	submitted by a registrant under paragraph B or $B-1$.
20	A person who violates this subsection is subject to a civil
	penalty, payable to the State, of no more than \$1,000 for each
22	day of the violation.'
24	
26	STATEMENT OF FACT
	M.
28	This amendment clarifies the registration and lease
	application requirements in the bill for a person seeking to
30	obtain an aquaculture lease for the suspended culture of marine
	organisms other than shellfish.
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Reported by Senator Gould for the Committee on Marine Resources. Reproduced and Distributed Pursuant to Senate Rule 12. (6/9/93) (Filing No. S-322)