

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 993

S.P. 367

In Senate, March 28, 1995

**An Act to Allow Municipalities to Grant Aquaculture Licenses for Sea
Vegetables.**

(EMERGENCY)

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

A handwritten signature in cursive script that reads "May M. Ross".

MAY M. ROSS
Secretary of the Senate

Presented by Senator GOLDTHWAIT of Hancock.
Cosponsored by Representatives: BIGL of Bucksport, CLOUTIER of South Portland, RICE
of South Bristol.

2 **Emergency preamble.** Whereas, Acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

4 Whereas, the Legislature has established the authority for
6 municipalities to lease areas of the intertidal zone for the
purpose of shellfish aquaculture; and

8 Whereas, sea vegetable farming is an important sector of the
10 State's marine resources industry; and

12 Whereas, the State's sea vegetable industry has received
federal assistance to raise sea vegetables in the intertidal
14 zone; and

16 Whereas, it is necessary to begin activities by June in
order to take full advantage of federal assistance; and

18 Whereas, in the judgment of the Legislature, these facts
20 create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
22 necessary for the preservation of the public peace, health and
safety; now, therefore,

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

26 **Sec. 1. 12 MRSA §6673, first ¶,** as enacted by PL 1977, c. 661,
28 §5, is amended to read:

30 A municipality, ~~which~~ that has established a shellfish
conservation program as provided under section 6671, may lease
32 areas in the intertidal zone to the extreme low water mark,
within the municipality for the purpose of shellfish or sea
34 vegetable aquaculture.

36 **Sec. 2. 12 MRSA §6673, sub-§1,** as enacted by PL 1977, c. 661,
38 §5, is amended to read:

40 **1. Municipal procedure.** A written application may be
approved by the municipal officers if they find that it conforms
42 to the shellfish and sea vegetable program, that it will not
cause the total area under lease to exceed 1/4 of all the
municipal intertidal zone that is open to the taking of shellfish
44 and sea vegetables and that granting it is in the best interests
of the municipality. On approval, the lease shall must be
46 forwarded to the commissioner.

48 **Emergency clause.** In view of the emergency cited in the
preamble, this Act takes effect when approved.

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STATEMENT OF FACT

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This bill expands the scope of municipal authority to grant aquaculture licenses to include sea vegetables.