

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 1316

S.P. 441

In Senate, February 16, 1999

**An Act to Encourage Municipal and State Partnerships Concerning the
Issuance of Aquaculture Leases.**

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator HARRIMAN of Cumberland.
Cosponsored by Representative DAVIDSON of Brunswick and
Senator SMALL of Sagadahoc, Representatives: RICHARDSON of Brunswick,
SCHNEIDER of Durham.

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

4 **Sec. 1. 12 MRSA §6072, sub-§3**, as enacted by PL 1977, c. 661,
§5, is amended to read:

6 **3. Municipal approval.** In any municipality with a shellfish
conservation program under section 6671, the commissioner may not
8 ~~lease more than 2 acres of the intertidal zone within the~~
municipality issue an aquaculture lease within municipal
10 boundaries without the written consent of the municipal officers.

12 **Sec. 2. 12 MRSA §6072, sub-§7-A, ¶C**, as enacted by PL 1987, c.
14 453, §1, is amended to read:

16 C. Will not unreasonably interfere with fishing or other
uses of the area, including potentially viable fisheries,
18 taking into consideration the number and density of
aquaculture leases in an area;

20 **SUMMARY**

22 This bill provides that in a municipality with a shellfish
24 conservation program, the Commissioner of Marine Resources may
not issue an aquaculture lease within municipal boundaries
26 without the written consent of the municipal officers. It also
provides that a criterion that must be met before the
28 commissioner may grant a lease is that the proposed project not
unreasonably interfere with potentially viable fisheries.