

MAINE STATE LEGISLATURE

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MARINE RESOURCES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1758, L.D. 2464, Bill, "An Act to Change the Aquaculture Lease Process"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 12 MRSA §6072, sub-§5, as amended by PL 1987, c. 453, §1, is further amended to read:

5. Application review. The commissioner shall review the application and set a hearing date if he the commissioner is satisfied that the written application is complete, the application indicates that the lease could be granted and the applicant has the financial and technical capability to carry out the proposed activities. -A- When the commissioner has determined that the application is complete, the commissioner shall forward a copy of the completed application and notice of hearing shall be-forwarded to the known riparian owners within 1,000 feet of the proposed lease and to the municipality or municipalities in which or adjacent to which the lease is proposed. A municipality shall must be granted intervenor status upon written request.

Sec. 2. 12 MRSA §6072, sub-§6, ¶D is enacted to read:

D. The applicant shall give at least 2 weeks' notice of the hearing by publication of an advertisement in a newspaper of general circulation that serves the area in which or adjacent to which the lease is proposed. The advertisement

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must state, at a minimum, the location, date, time and purpose of the hearing and must indicate how a copy of the application and the department site review may be obtained.

Sec. 3. Report on aquaculture lease process. The Department of Marine Resources shall submit a report by January 15, 2001 to the joint standing committee of the Legislature having jurisdiction over marine resources matters regarding its ongoing review of the aquaculture lease process. As part of its review, the department shall consider any changes to the process necessary to address the following issues: the rights of an applicant for an aquaculture lease or an aquaculture license, municipal involvement in the lease process and long-term planning for aquaculture in the State. In developing its report, the department shall consult with persons interested in the aquaculture lease process, including representatives of the aquaculture industry, representatives of municipalities and other interested persons. The joint standing committee of the Legislature having jurisdiction over marine resources matters may report out a bill to the First Regular Session of the 120th Legislature regarding the aquaculture lease process.'

Further amend the bill by inserting at the end before the summary the following:

FISCAL NOTE

The Department of Marine Resources will incur some minor additional costs to comply with certain notification requirements and to submit a required report to the Legislature. These costs can be absorbed within the department's existing budgeted resources.'

SUMMARY

This amendment replaces the bill. The amendment requires the Commissioner of Marine Resources, upon determining that an application for an aquaculture lease is complete, to send a copy of the completed application and notice of hearing to the known riparian owners within 1,000 feet of the proposed lease and to the municipalities in which or adjacent to which the lease is proposed. The amendment requires the lease applicant to give at least 2 weeks' notice of the hearing on the lease by advertising in a newspaper of general circulation, stating the location, date, time and purpose of the hearing and indicating how a copy of the application and the department site review may be obtained. The amendment also requires the Department of Marine Resources to submit a report by January 15, 2001 to the joint

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2 standing committee of the Legislature having jurisdiction over
3 marine resources matters regarding its ongoing review of the
4 aquaculture lease process. This amendment also adds a fiscal
note to the bill.

COMMITTEE AMENDMENT