

# MAINE STATE LEGISLATURE

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MARINE RESOURCES

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
120TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 288, L.D. 366, Bill, "An Act to Revise Maine Laws Governing Aquaculture"

Amend the bill in section 1 by striking out all of the first 2 lines (page 1, lines 3 and 4 in L.D.) and inserting in their place the following:

'Sec. 1. 12 MRSA §6072-A, sub-§§5, 7 and 8, as enacted by PL 1997, c. 231, §6, are amended to read:'

Further amend the bill in section 1 in subsection 5 in the first line (page 1, line 6 in L.D.) by striking out the following: "commissioner" and inserting in its place the following: '~~e~~ommissioner applicant'

Further amend the bill in section 1 in subsection 7 in the first line (page 1, line 19 in L.D.) by striking out the following: "commissioner" and inserting in its place the following: '~~e~~ommissioner applicant'

Further amend the bill in section 1 by inserting after subsection 7 the following:

'8. Rules; general and lease application. The commissioner may adopt rules to implement the provisions of this section. Within 180 days of the effective date of this section, the commissioner shall adopt rules regarding a limited-purpose lease application. The rules must require an applicant to, at a minimum, meet the requirements of section 6072, subsection 2, paragraph E and subsection 4, paragraphs A, B, C, E, F, G and J. The rules must also require an applicant to provide to the

COMMITTEE AMENDMENT

department proof of access to the lease area. If access will be  
across riparian land, the applicant shall provide to the  
department the written permission of every riparian owner whose  
land will be used to access the lease area.'

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 adopt certain rules pertaining to aquaculture  
leases. These costs can be absorbed within the department's  
existing budgeted resources.'

#### SUMMARY

The original bill required the Commissioner of Marine  
Resources to notify certain riparian owners of the submittal of  
an application for a limited-purpose lease for commercial or  
scientific research and notice of hearing for that lease. This  
amendment requires the applicant to provide that notice instead  
of the commissioner. This amendment also requires the applicant  
to provide proof of access to the lease area and, if access will  
be across riparian land, the applicant must provide written  
permission of the riparian owners whose land will be used to  
access the lease area. This amendment also adds a fiscal note to  
the bill.