

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 1088

S.P. 360

In Senate, March 4, 2003

**Resolve, To Create a Study Committee To Consider Bay
Management Planning**

(EMERGENCY)

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 EDMONDS of Cumberland.
Cosponsored by Representative SULLIVAN of Biddeford and
Senator: HALL of Lincoln, Representatives: COWGER of Hallowell, KOFFMAN of Bar
Harbor, McKEE of Wayne, PINGREE of North Haven.

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

4
6 **Whereas,** the study must be initiated before the 90-day
period expires in order that the study may be completed and a
report submitted in time for submission to the next legislative
8 session; and

10 **Whereas,** in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
12 Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
14 safety; now, therefore, be it

16 **Sec. 1. Committee established. Resolved:** That the Commissioner
of Marine Resources is directed, within existing budgeted
18 resources, to establish a committee to study bay management
planning for siting aquaculture facilities. The committee must
20 include members representing the various parties affected by the
study, such as:

22 1. Two members of the finfish aquaculture industry, with
24 one member representing a large finfish company and one member
representing a small finfish company;

26 2. Two members of the shellfish aquaculture industry, with
28 one member representing a small shellfish company and one member
representing a large shellfish company;

30 3. One member representing the fishing industry;

32 4. One member representing a coastal municipality;

34 5. One member who is of the commercial recreational
36 industry, such as a boat or schooner captain;

38 6. One member representing a marine industry, such as
boatbuilders or marinas;

40 7. One member representing the land conservation field;

42 8. One member representing the environmental field; and

44 9. One member representing the tourist industry; and be it
46 further

48 **Sec. 2. Duties. Resolved:** That the committee shall study and
develop a process for creating bay management plans for siting
50 aquaculture facilities. In conducting the study, the

2 committee shall develop a comprehensive process and make
3 recommendations on how to implement the plans. The committee
4 shall hold at least 3 public hearings to receive input from the
5 general public. The committee may:

6 1. Hold informational sessions for discussions with
7 knowledgeable persons;

8 2. Conduct, summarize and analyze the results of a
9 literature search;

10 3. Conduct, tabulate and analyze the results of a survey of
11 the public or affected persons and groups;

12 4. Procure and analyze relevant data;

13 5. Conduct legal research and prepare opinions on legal
14 questions within the scope of the study; and

15 6. Determine and summarize the legislative actions or
16 governmental programs undertaken in other jurisdictions related
17 to issues within the scope of the study; and be it further

18
19 **Sec. 3. Report. Resolved:** That, no later than December 15,
20 2003, the committee shall submit its report that includes its
21 findings and recommendations, including suggested legislation,
22 for presentation to the Joint Standing Committee on Marine
23 Resources. The committee is authorized to submit legislation
24 related to its report to the Second Regular Session of the 121st
25 Legislature.

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27 **Emergency clause.** In view of the emergency cited in the
28 preamble, this resolve takes effect when approved.
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36 **SUMMARY**

37 This resolve directs the Commissioner of Marine Resources to
38 establish a committee to study bay management planning for siting
39 aquaculture facilities, which will hold 3 public hearings and
40 analyze the data given and issue a report and recommendations and
41 suggested legislation to the Second Regular Session of the 121st
42 Legislature.