

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 1519

H.P. 1112

House of Representatives, April 4, 2003

**Resolve, To Establish a Task Force on the Planning and
Development of Marine Aquaculture in Maine**

(EMERGENCY)

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative BULL of Freeport. (GOVERNOR'S BILL)

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,** marine aquaculture is controversial and of great
public interest. There is controversy surrounding its impact on
the environment, existing wild fisheries, recreation, tourism and
8 conserved land; and

10 **Whereas,** marine aquaculture is an important element of the
State's marine economy and is a legitimate use of state water; and

12
14 **Whereas,** the process by which state water is leased for the
conduct of marine aquaculture is affected by this controversy,
which is leading to lengthy administrative procedures, litigation
16 and acrimony; and

18 **Whereas,** there is an immediate need for a distinguished
group of citizens to deliberate upon state policy for aquaculture
20 leasing in order to develop a broader consensus on the place of
aquaculture among other sectors of the marine economy; and

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

28
30 **Sec. 1. Task force established. Resolved:** That the Task Force on
the Planning and Development of Marine Aquaculture in Maine,
referred to in this resolve as "the task force," is established;
32 and be it further

34 **Sec. 2. Task force membership. Resolved:** That the task force
includes 11 members of the public with expertise in marine
36 resources, fisheries, economic development, business, planning
and natural resource conservation to be appointed by the
38 Governor; and be it further

40 **Sec. 3. Chair. Resolved:** That the task force shall elect a
chair from among its members; and be it further

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44 **Sec. 4. Appointments; convening of task force. Resolved:** That all
appointments must be made no later than 30 days following the
effective date of this resolve. Within 15 days after appointment
46 of all members, the Chair of the Legislative Council shall call
and convene the first meeting of the task force; and be it further

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50 **Sec. 5. Staff assistance; technical assistance. Resolved:** That the
Department of Marine Resources, with cooperation from

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2 the Maine Coastal Program of the Executive Department, State
3 Planning Office, shall provide staff services to the task force.
4 The task force or the department may also seek or contract for
5 technical assistance from any other agency, institution,
6 individual or group that it determines appropriate to support the
7 work of the task force; and be it further

8 **Sec. 6. Issues to be considered. Resolved:** That the task force
9 shall, at a minimum, consider the following issues in developing
10 its recommendations on how to balance the range of potential uses
11 of state waters and plan for the growth of marine aquaculture
12 while considering all reasonable constraints and opportunities:

13 1. Any bay management or aquaculture development strategies
14 presently being developed in this State and in other national and
15 international jurisdictions that allocate or plan for amounts of
16 aquaculture within geographically defined areas. An examination
17 of these examples must include an investigation of the type of
18 information and technical and financial resources needed to
19 implement such a plan in this State;

20 2. The present size and characteristics of the industry, as
21 well as the short-term, 2-year, and long-term, 10-year,
22 projections of industry growth, based on market demand and
23 capital investment;

24 3. An assessment of the impacts aquaculture has on tourism,
25 recreation and conserved lands;

26 4. An assessment of how the external impact of aquaculture
27 farms can best be mitigated in an equitable and effective
28 fashion; and

29 5. An assessment of present decision-making criteria for
30 granting leases; and be it further

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32 **Sec. 7. Public meetings. Resolved:** That, in examining these
33 issues, the task force shall meet to the extent necessary to
34 fulfill its duties, as well as hold at least one public meeting
35 expressly for the purpose of receiving public comment and
36 testimony on its work; and be it further

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38 **Sec. 8. Report. Resolved:** That the task force shall submit a
39 report that includes its findings and recommendations to the
40 Joint Standing Committee on Marine Resources and the Legislative
41 Council by January 15, 2004. The task force is not authorized to
42 introduce legislation. Following receipt and review of the
43 report, the Joint Standing Committee on Marine Resources may
44 report out a bill to the Second Regular Session of the 121st
45 Legislature. If the task force requires an extension
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of time to complete its report, it may apply to the Legislative
Council, which may grant the extension.

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

SUMMARY

This resolve establishes the Task Force on the Planning and
Development of Marine Aquaculture in Maine to develop
recommendations on how to balance the range of potential uses of
state waters and plan for the growth of marine aquaculture while
considering all reasonable constraints and opportunities.