

MAINE STATE LEGISLATURE

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Date: 4/15/11

MARINE RESOURCES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
125TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 270, L.D. 337, Bill, "An Act To Make Technical Changes to Aquaculture Laws"

Amend the bill in section 5 in subsection 18 in the first paragraph in the 5th line (page 2, line 19 in L.D.) by striking out the following: "5" and inserting the following: 25

SUMMARY

This amendment changes the number of persons required to request a public hearing for a scientific research lease renewal from 5 to 25.

The bill as amended does the following.

1. It repeals the Maine Revised Statutes, Title 12, section 6072, subsection 8-A, regarding preference for limited-purpose lease areas, and integrates the preference for limited-purpose leaseholders into the list of preferences in Title 12, section 6072, subsection 8. It also makes clear that the standard lease application can be for the same area or a portion of the same area covered by the experimental lease.

2. It combines provisions for renewing standard aquaculture leases in a single subsection. It provides that submitting a renewal application to the Department of Marine Resources is sufficient to extend the existing lease until a decision is reached on the renewal. It eliminates the confusion in the existing language about whether the application has to be reviewed by the department and found to be complete in order to trigger the lease extension.

3. It removes the requirement that the Commissioner of Marine Resources hold a public hearing before deciding whether to renew a limited-purpose lease for scientific research and instead provides for a hearing at the commissioner's option or at the request of 25 or more people.

4. It makes it clear that simply submitting an application for a standard lease under Title 12, section 6072 for an area or a portion of an area already covered by a limited-purpose lease before the limited-purpose lease expires is sufficient to extend the

COMMITTEE AMENDMENT

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COMMITTEE AMENDMENT "A" to H.P. 270, L.D. 337

1 limited-purpose lease pending a decision on the new application. It provides that
2 submitting a renewal application to the Department of Marine Resources is sufficient to
3 extend the existing lease until a decision is reached on the renewal.

4 5. It extends from 60 days to 6 months the time within which the holder of an
5 emergency lease under Title 12, section 6072-B can apply for a standard lease and thus
6 allows the emergency lease to continue in effect while the standard lease application is
7 processed.