

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Make Technical Changes to Maine's Aquaculture Statutes

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 12 MRSA §6071-A is enacted to read:

§ 6071-A. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Intertidal zone. "Intertidal zone" means the shores, flats or other land between the high and mean low water mark.

Sec. 2. 12 MRSA §6072-C, sub-§3, as enacted by PL 1999, c. 567, §2, is amended to read:

3. Eligibility. A limited-purpose aquaculture license may be issued only to an individual or to a municipal shellfish management committee established pursuant to section 6671 and is a resident license.

Sec. 3. 12 MRSA §6073, sub-§4 is enacted to read:

4. Marking. In the coastal waters of the State, a person may not mark or designate an area as a sea farm, aquaculture lease or other similar designation unless that area is currently leased for aquaculture or is under consideration by the department for a lease through the aquaculture lease application process.

Sec. 4. 12 MRSA §6082 is enacted to read:

§ 6082. Confidentiality provisions for aquaculture information from other jurisdictions

Information obtained from other state, federal or foreign government agencies about aquaculture operations in other states, foreign countries or the exclusive economic zone that is designated as confidential by the jurisdiction from which it is obtained and that must remain confidential as a condition of receipt must be kept confidential by the department. Such information is not a public record as defined in Title 1, section 402, subsection 3. This section does not apply to aquaculture operations conducted in Maine.

SUMMARY

The bill proposes to make several technical changes to Maine's aquaculture statutes. It provides a more specific definition for "intertidal zone" for the Maine Revised Statutes, Title 12, chapter 605, subchapter 2. It allows a limited-purpose aquaculture license to be issued to a municipal shellfish committee. It prohibits a person from marking or designating an area as a sea farm or aquaculture lease unless the area is currently leased for aquaculture or is under consideration for leasing through

the aquaculture lease process. Finally, it provides that information obtained from other state, federal or foreign government agencies about aquaculture operations in their jurisdictions that is designated as confidential must be kept confidential by the Department of Marine Resources.