

## §6078-A. Aquaculture Monitoring, Research and Development Fund

**1. Fund established.** The Aquaculture Monitoring, Research and Development Fund, referred to in this section as "the fund," is established. In addition to the fees derived pursuant to rules adopted under subsection 6, the commissioner may receive on behalf of the fund funds from any source. All income received by the commissioner under this section must be deposited with the Treasurer of State, tracked according to its source and credited to the fund. Any balance remaining in the fund at the end of a fiscal year does not lapse but must be carried forward to the next fiscal year. Any interest earned on assets of the fund is credited to the fund. All records related to harvests submitted by aquaculture lease holders are considered proprietary information for the purposes of section 6077, subsection 4. [PL 2013, c. 301, §6 (AMD).]

### 2. Fees.

[PL 2005, c. 92, §7 (RP).]

**3. Expenditures; purpose.** The commissioner may make expenditures from the fund to develop effective and cost-efficient water quality licensing and monitoring criteria, analyze and evaluate monitoring data and process lease applications. The commissioner shall expend the fund amounts in proportion to the amounts of revenue from finfish sources and shellfish sources. The commissioner may contract for services privately or under memoranda of agreement with other state agencies. [PL 2011, c. 344, §18 (AMD).]

### 4. Additional revenues.

[PL 2005, c. 92, §8 (RP).]

### 5. Reports.

[PL 2011, c. 598, §8 (RP).]

**6. Rules.** The commissioner may adopt rules pursuant to this section only after consultation with the aquaculture industry that clearly establish the recommended framework for lease rents, application fees and production fees as well as the related personnel or contracting costs funded by the recommended fee increases. Rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A. [PL 2003, c. 247, §19 (NEW).]

## SECTION HISTORY

PL 2003, c. 247, §19 (NEW). PL 2003, c. 660, §§A19,20 (AMD). PL 2005, c. 92, §§7,8 (AMD). PL 2009, c. 240, §15 (AMD). PL 2011, c. 344, §18 (AMD). PL 2011, c. 598, §8 (AMD). PL 2013, c. 301, §6 (AMD).

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