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An Act To Require the Department of Marine Resources To Enforce Conditions in an Aquaculture Lease

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

Sec. 1. 12 MRSA §6072, sub-§11, as amended by PL 2003, c. 247, §7, is further amended to read:

11. Monitoring and revocation of leases. The department shall monitor a lease under this section on an annual basis. If aquaculture has been conducted in a manner substantially injurious to marine organisms, if no substantial aquaculture or research has been conducted over the course of the lease or if any condition of the lease has been violated, the commissioner may initiate revocation proceedings and revoke the lease. A lease revocation is an adjudicatory proceeding under Title 5, chapter 375, subchapter 4. The department shall hold a hearing with public notice prior to revoking any lease. The department shall enforce all lease conditions pursuant to the department's authority under this subsection or pursuant to other appropriate authority under this Title to ensure that the conditions of the lease are observed.

Sec. 2. 12 MRSA §6072-A, sub-§22, as enacted by PL 2003, c. 247, §15, is amended to read:

22. Monitoring and revocation of leases. The department shall monitor a lease under this section on an annual basis. If aquaculture has been conducted in a manner substantially injurious to marine organisms, if no substantial aquaculture or research has been conducted over the course of the lease or if any condition of the lease has been violated, the commissioner may initiate revocation proceedings and revoke the lease. The department shall hold a hearing with public notice prior to revoking any lease. A lease revocation is an adjudicatory proceeding under Title 5, chapter 375, subchapter 4. The department shall enforce all lease conditions pursuant to the department's authority under this subsection or pursuant to other appropriate authority under this Title to ensure that the conditions of the lease are observed.

SUMMARY

This bill directs the Department of Marine Resources to enforce aquaculture lease conditions pursuant to its authority under law.