

MAINE STATE LEGISLATURE

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(Filing No. H-345)

MARINE RESOURCES

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STATE OF MAINE HOUSE OF REPRESENTATIVES 132ND LEGISLATURE FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 854, L.D. 1279, "An Act to Require the Department of Marine Resources to Conduct Biotoxin Testing of Cultured Scallops"

Amend the bill by striking out the title and substituting the following:

'Resolve, Establishing the Biotoxin Testing of Cultured Scallops Pilot Program'

Amend the bill by striking out everything after the title and inserting the following:

'Sec. 1. Biotoxin Testing of Cultured Scallops Pilot Program established.

Resolved: That the Biotoxin Testing of Cultured Scallops Pilot Program, referred to in this resolve as "the program," is established until December 31, 2027. The Department of Marine Resources, referred to in this resolve as "the department," shall oversee the program. The purpose of the program is to conduct biotoxin testing of whole cultured scallops or the roe of cultured scallops in the same manner as the testing for other cultured mollusks under the Marine Shellfish Toxins Monitoring Program, established in the Maine Revised Statutes, Title 12, section 6076, including using high-performance liquid chromatography testing. The department shall provide logistical support to a commercial fisheries business engaged in scallop aquaculture in conducting the testing under this section, including providing transportation of samples to be tested from a facility in the municipality in which the grower is located to the testing site. For the purposes of this section, "high-performance liquid chromatography testing" means a testing technique in analytical chemistry that uses high-pressure pumps to separate, identify and quantify specific components in mixtures. The program may not conduct testing on cultured scallops or the roe of cultured scallops grown on limited-purpose aquaculture license sites.

Sec. 2. Report. Resolved: That the department shall submit a report on each year of the program, by January 1, 2027 and January 1, 2028, respectively, detailing the number of commercial fisheries businesses using the testing under section 1, the overall impact on the scallop aquaculture industry, including economic growth and cultured scallop landings, and recommendations for further improvements or expansions of the testing under section 1 to the joint standing committee of the Legislature having jurisdiction over marine

resources matters. The committee may report out a bill based on the 2028 report to the Second Regular Session of the 133rd Legislature.

Sec. 3. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

MARINE RESOURCES, DEPARTMENT OF

Bureau of Public Health Z154

Initiative: Provides funding for a pilot program testing scallops for biotoxins for fiscal year 2025-26 and fiscal year 2026-27.

| GENERAL FUND | 2025-26 | 2026-27 |
|--------------------|----------|----------|
| All Other | \$50,000 | \$50,000 |
| GENERAL FUND TOTAL | \$50,000 | \$50,000 |

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment replaces the bill and changes it to a resolve. The amendment establishes the Biotoxin Testing of Cultured Scallops Pilot Program and directs the Department of Marine Resources to oversee the program. The amendment specifies that the program operates for a 2-year period with the aim of conducting biotoxin testing of whole cultured scallops or the roe of cultured scallops in the same manner as the testing for other cultured mollusks under the Marine Shellfish Toxins Monitoring Program. The amendment requires the department to submit a report to the joint standing committee of the Legislature having jurisdiction over marine resources matters on each year of the program, by January 1, 2027 and January 1, 2028, detailing the number of commercial fisheries businesses using the testing offered by the pilot program, the overall impact on the scallop aquaculture industry, including economic growth and cultured scallop landings, and recommendations for further improvements or expansions of the testing. The amendment authorizes the committee to report out a bill based on the 2028 report to the Second Regular Session of the 133rd Legislature.

FISCAL NOTE REQUIRED

(See attached)

**132nd MAINE LEGISLATURE****LD 1279****LR 1683(02)****An Act to Require the Department of Marine Resources to Conduct Biotoxin Testing of Cultured Scallops****Fiscal Note for Bill as Amended by Committee Amendment****Committee: Marine Resources****Fiscal Note Required: Yes****A (H-345)**

Fiscal Note

| | FY 2025-26 | FY 2026-27 | Projections FY 2027-28 | Projections FY 2028-29 |
|-----------------------------------|-------------------|-------------------|-----------------------------------|-----------------------------------|
| Net Cost (Savings) | | | | |
| General Fund | \$50,000 | \$50,000 | \$0 | \$0 |
| Appropriations/Allocations | | | | |
| General Fund | \$50,000 | \$50,000 | \$0 | \$0 |

Fiscal Detail and Notes

The bill includes one-time General Fund appropriations to the Department of Marine Resources of \$50,000 in fiscal year 2025-26 and \$50,000 in fiscal year 2026-27 to establish a pilot project to conduct biotoxin testing of whole cultured scallops or the roe of cultured scallops.