

MAINE STATE LEGISLATURE

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

R. S., T. 12, § 3452, repealed and replaced. Section 3452 of Title 12 of the Revised Statutes, as amended by section 1 of chapter 33 of the public laws of 1965, is repealed and the following enacted in place thereof:

§ 3452. Taking of polluted shellfish

The commissioner may authorize individuals, concerns or entities to take shellfish from polluted flats or waters for the purpose of depurating them in accordance with the requirements set forth in section 4302-B and the regulations promulgated thereunder.

1. Experiments to effectuate this section. The department shall be authorized to conduct experiments which will effectuate this section, to seek and expend funds necessary for such experiments, to cooperate with concerns, individuals and entities or other agencies in matters relating to depuration, and shall set rules and regulations controlling such experiments or processes.

2. Authorizations. All authorizations granted by the commissioner under this section shall be in writing, shall be dated and shall include all information required to define boundaries, establish limits, set forth rights and any other provisions required to assure safety of process and product.

3. Sale of depurated shellfish. Depurated shellfish may be sold in accordance with section 4302-B and the regulations promulgated thereunder.

4. Penalty. Whoever violates any provision of this section shall be punished by a fine of not less than \$100, nor more than \$300, for each offense, or by imprisonment for not more than 90 days, or by both.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

STATEMENT OF FACT

This Act would allow the commissioner to expand his rules and regulations to allow for proper sale or disposal of shellfish by a properly authorized depuration shellfish plant.