

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES (Filing No. H-296)  
109TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 755, L.D. 937, Bill,  
"AN ACT to Permit Depuration Facilities to Operate during  
Red Tide."

Amend the Bill by inserting before the enacting clause  
the following:

'Emergency preamble. Whereas, Acts of the Legislature  
do not become effective until 90 days after adjournment unless  
enacted as emergencies; and

Whereas, the depuration of shellfish is a significant  
activity in various parts of the coast; and

Whereas, the present statutes are unclear on the authority  
to allow depuration of shellfish that are not contaminated with  
paralytic shellfish poisoning; and

Whereas, the dinoflagellate blooms that cause this  
poisoning commonly occur in the spring and early summer; and

Whereas, failure to correct the statutes could cause  
serious economic hardships to depuration operations; and

Whereas, in the judgment of the Legislature, these facts  
create an emergency within the meaning of the Constitution  
of Maine and require the following legislation as immediately  
necessary for the preservation of the public peace, health  
and safety; now, therefore, '

Further amend the Bill by striking out in the 4th line the underlined words "shall permit" and inserting in its place the underlined words 'may permit'

Further amend the Bill by inserting at the end before the statement of fact the following:

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

Statement of Fact

This amendment adds an emergency preamble and emergency clause to the bill and changes the commissioner's authority from mandatory to permissive.