

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 937

H. P. 755

House of Representatives, March 2, 1979

Referred to the Committee on Marine Resources. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Higgins of Scarborough.

Cosponsor: Mr. Lowe of Winterport.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT to Permit Depuration Facilities to Operate during Red Tide.

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

12 MRSA § 6856, sub-§ 3, as enacted by PL 1977, c. 661, § 5, is amended by adding at the end the following new sentence:

The commissioner shall permit depuration of shellfish not contaminated by paralytic shellfish poisoning if it is established that the water used during depuration will not contaminate the shellfish with paralytic shellfish poisoning.

STATEMENT OF FACT

Uncontaminated shellfish can be cleansed of pollution through the depuration process certified by the Commissioner of Marine Resources. Depuration can also contaminate shellfish if the water used by the depuration facility is contaminated by PSP. When a depuration facility is located in an area closed due to PSP contamination, the water it uses may or may not contaminate the shellfish being depurated. In the past, the Department of Marine Resources had prohibited all shellfish harvesting and processing including depuration when an area is closed due to PSP. This bill would require the commissioner to permit depuration of shellfish by certified depuration plants in areas closed due to PSP contamination provided that the shellfish were not contaminated by PSP prior to the start of depuration and it is established that the water the plant uses for depuration is not contaminating the shellfish with PSP.