
By Mr. Twomey of Newburyport, petition of George E. Twomey for legislation relative to the operation of shellfish purification plants. Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy.

AN ACT RELATIVE TO THE OPERATION OF SHELLFISH PURIFICATION PLANTS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 130 of the General Laws is hereby
2 amended by striking out section 76, as amended by chapter
3 506 of the acts of 1961, and inserting in place thereof the
4 following section:—

5 *Section 76.* The department of public health shall approve
6 plans for construction of all shellfish purification plants, and
7 may construct and operate shellfish purification plants for the
8 treatment of shellfish taken from areas determined under
9 section seventy-four or corresponding provisions of earlier
10 laws to be contaminated, and may operate such existing
11 purification plants to serve such areas as he may deem nec-
12 essary for these purposes. The commissioner of public health
13 may acquire by purchase, gift, lease or otherwise, or take by
14 eminent domain under chapter seventy-nine, such land and
15 buildings thereon as may be necessary for the purposes of this
16 section. The department of public health shall have sole author-
17 ity over the acceptance, treatment, and discharge of shellfish at
18 such plants, subject to rules and regulations, which the depart-
19 ment of public health is hereby authorized and directed to
20 adopt, relative to the protection of the public health in the
21 consumption of such shellfish.

1 SECTION 2. Said chapter 130 is hereby further amended by
2 striking out section 77, as amended by chapter 506 of the acts
3 of 1961, and inserting in place thereof the following sec-
4 tion:—

5 *Section 77.* For the purpose of partially defraying the costs
6 of the operation and maintenance of shellfish purification
7 plants, the department of public health shall charge the users
8 of said service the sum of not less than fifty cents per one half
9 bushel. Said department of public health shall expend such
10 sums as may hereafter be appropriated therefor from the
11 general fund. Said department may apply for and accept and
12 expend such other funds as may become available from any
13 federal agency or any grants or funds from any source.

1 SECTION 3. The department of public health, acting on
2 behalf of the commonwealth, shall assume the lease of the
3 shellfish purification plant in the city of Newburyport entered
4 into by the department of natural resources with said city
5 under the authority of chapter five hundred and six of the
6 acts of nineteen hundred and sixty-one and may, in its dis-
7 cretion, renew said lease on such terms as it deems advisable.
8 The department of public health shall operate and maintain
9 the same in accordance with the provisions of sections seventy-
10 six and seventy-seven of chapter one hundred thirty of the
11 General Laws, as amended by sections one and two of this act.

1 SECTION 4. The persons employed on the effective date of
2 this act at said plant by the department of natural resources
3 shall be transferred to the department of public health and
4 shall continue to be employed without loss of seniority or
5 other rights and without reduction in compensation and
6 salary grade.

1 SECTION 5. This act shall take effect on July first, nineteen
2 hundred and seventy-one.