



COMMONWEALTH OF MASSACHUSETTS

## SENATE MINORITY LEADER

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**FOR IMMEDIATE RELEASE**  
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### **Tarr Successful in Amending Supp Budget to Include Dockside Testing Trust Fund** *Measure to Expand Commonwealth's Shellfish Harvesting Opportunities*

**Boston-** With yesterday's passage of a \$127 million supplemental budget by the Massachusetts State Senate, Senate Minority Leader Bruce Tarr (R-Gloucester) successfully amended the spending bill to include a major economic engine for fishermen, ports, and coastal communities. Tarr, along with Senator Mark Montigny (D-New Bedford), secured a "Dockside Testing Trust Fund" amendment that if signed into law will expand shellfish harvesting opportunities.

"The system created by this amendment will give the DPH a tool that costs the state nothing and will bring to market safe, quality shellfish that are currently beyond the reach of harvesters and consumers," said Senator Tarr.

Until now, the Massachusetts Department of Public Health has not had the financial resources to provide testing in many offshore areas for toxins associated with Paralytic Shellfish Poisoning (PSP). Thus, shellfish available in locations such as Georges Bank could not be harvested and sold for consumption.

Should the amendment approved yesterday by the Senate become law, however, the department would have a pay-as-you-go mechanism to charge harvesters and marketers for the testing to ensure a safe product and retain the funds to pay for the product. Preliminary estimates of the economic value of opening this new dimension of the fishing industry place its value to the Commonwealth's ports at **over \$100 million**.

"Allowing commercial fishermen to harvest shellfish from Georges Bank and other areas will create an important economic opportunity for a fishing industry that is being crushed by reduced catches of finfish such as cod and flounder," said Senator Tarr.

The amendment was filed after an extremely successful pilot program where Massachusetts fishermen, DPH, U.S. FDA, Massachusetts Department of Fish and Game Division of Marine Fisheries, and members of the shellfish industry worked in collaboration to examine the effectiveness of testing protocols to ensure the safe consumption of shellfish harvested from the previously closed areas within federal waters.

The initial Massachusetts pilot program commenced on January 1, 2011 and extended through June 30,

2012, with the New Bedford Sea Watch International (SWI) participating. The pilot program allowed SWI to harvest shellfish twice a week from newly tested areas. Due to the success of the study, SWI was able to add a \$3.5 million expansion to its current facility and created approximately 100 new jobs.

The supplemental budget will now move to a Joint House-Senate conference committee charged with reconciling the two versions of the spending plan into a single bill for final consideration in each chamber.

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\* Text of the amendment is posted below.

Redraft 5

Dockside Testing Trust Fund

Mr. Tarr moved that the bill be amended by inserting before section 3 the following section:-

“SECTION . Chapter 10 of the General Laws is hereby amended by inserting after section 35XX the following section:-

Section 35YY. There shall be established upon the books of the commonwealth a separate fund to be known as the Dockside Testing Trust Fund to be expended, without prior appropriation, by the department of public health. The fund shall consist of fees to collected from harvesters of molluscan shellfish on Georges Bank in waters that are not monitored for the presence of paralytic shellfish toxin in the amount \$35,000 per vessel that harvests molluscan shellfish in those waters. The commissioner shall make necessary expenditures from the fund only for the administrative costs of the operations and programs of the department related to regulating and monitoring the shellfish harvesters, including the testing of shellfish as necessary to ensure that they are safe for human consumption. The department may incur expenses and the comptroller may certify for payment amounts in anticipation of expected receipts, but no expenditure shall be made from the fund that would cause the fund to be in deficit at the close of a fiscal year. Moneys deposited in the fund that are unexpended at the end of a fiscal year shall not revert to the General Fund.”