

SB 112

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Senate 524-526

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CONNECTICUT
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HOUSE

PROCEEDINGS
1972

VOL. 15
PART 2
505-952

March 28, 1972

52

relative to the bill before us. Apparently we can get them drunk at the University of Connecticut and then put them in jail afterwards with the bill we just passed. Thank you.

THE SPEAKER:

Further remarks before we vote? If not, all those in favor indicate by saying aye. Opposed? The bill is PASSED.

THE CLERK:

Calendar No. 130, S.B. No. 112, An Act Transferring the Jurisdiction over Shell Fisheries from the Department of Environmental Protection to the Department of Agriculture (as amended by Senate Amendment Schedule A.

MR. CIAMPI (89th):

Mr. Speaker, I move for the acceptance of the committee's favorable report and passage of the bill, as amended by Senate Amendment Schedule A.

THE SPEAKER:

Will you remark?

MR. CIAMPI (89th):

Mr. Speaker,

THE SPEAKER:

Would the gentleman try the microphone at the desk at which Rep. Esposito is seated?

MR. CIAMPI (89th):

Mr. Speaker, will you read Amendment A please?

THE SPEAKER:

Mr. Clerk, is Senate Amendment Schedule A printed?

THE CLERK:

Yes it is, it's in the file.

March 28th, 1972

53

THE SPEAKER:

It's in the file, File No. 133.

THE CLERK:

Delete lines 954 and insert the following section:

39. This act shall take effect on its passage.

THE SPEAKER:

The question then is on Senate Amendment Schedule A, which is in, printed in your file.

MR. CIAMPI (89th):

Mr. Speaker, all this amendment does, as you can tell by the reading, is just to, if this bill is passed to start immediately on the bill. I move the passage of the bill as amended by Senate Amendment A.

THE SPEAKER:

Further remarks on Senate A? If not, all those in favor indicate by saying aye. Opposed? Senate A is adopted and ruled technical.

MR. CIAMPI (89th):

Mr. Speaker, what this bill plans to do is to transfer the jurisdiction over shellfisheries from the Department of the Environment to the Department of Agriculture. We feel that the shellfish industry is more or less an agricultural phase of the business and we feel to be proper to be put back into the agricultural department instead of the Department of the Environment.

THE SPEAKER:

Further remarks on the bill as amended? If not, the question is on acceptance and passage as amended by Senate Amendment A in concurrence with the Senate. All those in favor indicate by saying aye. Opposed? The bill as amended is PASSED.

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S-85

CONNECTICUT
GEN. ASSEMBLY
SENATE

PROCEEDINGS
1972

VOL. 15
PART 2
485-948

March 16, 1972

40.

here being that there was some concern whether this might be construed to mean that we could have only two women on the Board of Parole. So this should eliminate that question. It's a good Bill. I urge passage.

THE CHAIR:

Any further remarks? Question is on passage of the Bill as amended by House Amendment, Schedule A. All those in favor, indicate by saying aye. Opposed, nay. Ayes have it. The Bill is passed.

THE CLERK:

Under the heading, Foot of the Calendar, ordered removed is Calendar No. 68, File No. 90, Favorable Report, Joint Standing Committee on the Environment Senate Bill 112, AN ACT TRANSFERRING THE JURISDICTION OVER SHELL FISH FROM THE DEPARTMENT OF ENVIRONMENTAL PROTECTION TO THE DEPARTMENT OF AGRICULTURE.

THE CHAIR:

Senator Prete.

SENATOR PRETE:

I move acceptance of the Joint Committee's Favorable Report and passage of the Bill. The Clerk has an Amendment.

THE CLERK:

The Clerk has the right Amendment. This is offered by Senator Prete. Delete lines 954 and 1955 and insert the following: Section 39, This Act shall take effect upon passage.

THE CHAIR:

Senator Prete.

SENATOR PRETE:

I move adoption of the Senate Amendment, Schedule A.

THE CHAIR:

March 16, 1972

41.

Any remarks on the Amendment?

SENATOR PRETE:

The Amendment makes the Act effective immediately on passage and thereby allows the shellfisheries to take advantage of the purposes of this Act this year rather than July 1st which would place the effective date in the middle of their regular season. It's a good Amendment and I urge that the Senate adopt it.

THE CHAIR:

Question is on the adoption of the Amendment. All those in favor indicate by saying aye. Opposed, nay. The ayes have it. The Amendment is adopted. The Amendment is a technical one. You may proceed with the Bill.

SENATOR PRETE:

I move acceptance of the Joint Committee's Favorable Report and the passage of the Bill as amended by Senate Amendment, Schedule A.

THE CHAIR:

Will you remark further?

SENATOR PRETE:

The Bill provides for the transfer of the jurisdiction for shellfisheries from the Department of the Environment to the Department of Agriculture. The Shell fisheries industry is essentially closely related to that of agriculture and both departments of Agriculture and Environment agree that this is a worthwhile move and would improve the efficiency of the control and regulation of the shell fisheries industry. I move the - I urge that the Senate pass this Bill.

THE CHAIR:

Any further remarks? Question is on passage of the Bill. Those in favor,

March 16, 1972

42.

indicate by saying aye. Opposed, nay. The ayes have it. The Bill is passed.

THE CLERK:

The Clerk has completed those items marked Ready.

SENATOR CALDWELL:

If there is no further business, I move that we stand adjourned until Monday at three, which will be a technical session and I suggest that next week's line-up probably will be regular sessions at 2:00 P.M., on Tuesday, Wednesday and Thursday.

THE CHAIR:

The Senate will adjourn until 3:00 P.M., on Monday.

The Senate adjourned at

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JOINT
STANDING
COMMITTEE
HEARINGS

ENVIRONMENT

1972

FRIDAY

THE ENVIRONMENT

February 18, 1972

Chairman Ciampi presiding;
Sens: Gunther, Cashman
Reps: Locke, Clark, Grab, Iwanicki,
Ciampi, Johnson, Hogan, Tiffany,
Yacavone, Della Vecchia, Marione

Rep. Ciampi: This meeting will come to order. My name is Representative Frank Ciampi, I'm the House Chairman of the Environment Committee. Eddie Iwanicki is bur. Clerk, and Senator John Prete is not here, so we'll conduct the meeting. As you know, most of our meetings, my committee meetings, are more or less subject matter meetings. Primarily, this is mostly for phosphates in detergents. Last year we passed a bill, as everyone knows, where we brought down the phosphates in the detergents to 8.7%. I've been getting a few phone calls and a few letters from environmentalists wanting to know, why can't we lower the amount of phosphates in detergents in dairies where they clean their machines, and in manufacturing where they clean their machines. So, the phosphate people or detergent who are here - if they could have their remarks to that area only. That's the only part of this bill I'm looking into, and probably Joe - I imagine you're going to say something as far as the dairies are concerned. And Commissioner, do you want to make a statement on this? The other is about moving the shellfish from Environment to Agriculture, and moving mosquito control from the Public Health to Environment. All right, Commissioner. Do you want to say anything on these two now?

Commissioner Macdonald: I'll talk on the shellfish.

Rep. Ciampi: All right, Commissioner. Don't get comfortable, just sit down!

Commissioner Macdonald: I'm John Macdonald, Commissioner of Agriculture, and I'd like to try to answer the question here, why have Shellfish in Agriculture? Like so many other things grown, shellfish are very similar to agricultural crops. A seed must be produced, first of all. In many plants and animals, this is the breeding, and you have to do this with shellfish: A seed bed must be prepared; this is prepared in the shellfish business. The seed must be planted; it's the same in the shellfish business, you put out spawn. Growth is determined by the availability of food and the conditions in the seed bed. Liming is common in the control of pests; in this case, it would be starfish you'd be worried about. The growing of marine matter in artificial systems is fast-growing in this country. For

FRIDAY

THE ENVIRONMENT

February 18, 1972

example, in the state of Indiana, fish are produced in the cellars of homes, where the average manager of the houses wishes to grow fish for his own consumption; he can grow 1,000 catfish in a self-contained system right in the cellar of his house. Similar operations are progressing now for shrimp, crawfish, lobster, oysters, clams and salmon. Today catfish are grown commercially in Arkansas and Georgia. It's interesting to see who's involved in these commercial operations. The two largest producers are Ralston Purina Company and the cotton producers. Both of these companies are number one and number two in broiler production in this country. They go into an area, build feed-processing plants - processing plants for converting the fish into an edible product. The fish are grown on a commercial contract. It's truly an agricultural operation.

Recently, within the past year, a firm in Dover, Delaware, about 200 miles from here, asked for a zoning change to establish a similar operation there. I would like to show you the National magazine for the catfish industry, it's The Catfish Farmer. You might be interested in looking through to see how fish are grown commercially.

I have personally worked on similar operations where oysters in Massachusetts were going to be grown in a farming operation, and in Delaware, and here is a...I look at the operation in Delaware, it's by a commercial company, but I think you can see from the pictures what's involved.

This field of growing shellfish or marine animals in an artificial environment is called aquaculture. The word is similar to agriculture, because the science itself is very similar. Now, in Connecticut we've had for years, we've had a shellfish business. It has gone downhill since 1881. I think the reason for this has been the decline in the environment of Long Island Sound. Today we have a situation where we hope to clean up our waters and Long Island Sound. The potential for shellfish growth is high. Presently it's about half a million dollar a year business, although it's awful hard to evaluate those shellfish that are dug by persons for recreation and pleasure. The potential is very hard to estimate, because we have no idea of what the business was prior to 1881, but it does offer considerable potential for industry in the state. Connecticut oysters at their prime, or when they are at their prime, were the best in the nation. There's no reason why it couldn't return to this situation.

I'd like to say that I have no personal interest in building a large department in the state of Connecticut.

FRIDAY

THE ENVIRONMENT

February 18, 1972

However, leaders interested in shellfish development did come to me. With regard to transferring the former Shellfish Commission activities from the Department of the Environment to Agriculture, I think it does make sense, because it is truly very similar to agriculture in its development. Personally, I think it does make sense for a number of reasons. As you know, I'm a trustee at the University of Connecticut. The University of Connecticut maintains stations that work in the area of shellfish, Noank Experiment Station, Avery Point. I think that, if the Department of Agriculture were involved, you'd have a method of working between the former Shellfish Commission and the University of Connecticut.

The financing of shellfish operations is acceptable to the Production Credit Association. Shellfish operations have been financed this way for years. As you probably know, this is a division of the Farm Bank System. As the industry developed, marketing information would be necessary. The Department of Agriculture is in a position to assist in this. For a long time we've worked with farmers, and we feel that the shellfish people would be people in a similar vocation.

Some of the problems associated with shellfish now are common to the federal government through the FDA, and we've had experience in working in this field. Now, as to the actual transfer, I would like to say that to have a bill come forward that would merely transfer the activities and not transfer the equipment that was formerly there and the personnel would be just useless. You can't do anything without money and equipment. And I would recommend, if you do decide to transfer this, and believe me, I have no feeling one way or the other, I'd be glad to work with these people; and on the other hand, I do have plenty to do right now. So it would be necessary to transfer all of the former equipment and personnel.

Also, I feel that possibly some type of advisory, I didn't know if you'd call it a commission or what it would be, but there would be...I would want advisory help if it were transferred to me.

Rep. Ciampi: Set up an advisory council, you mean?

Comm. Macdonald: Well, some type of system, so you could get the growers involved, the interested people, to transfer information, have an exchange anyway. Anybody have any questions?

Rep. Ciampi: Any questions?

FRIDAY

THE ENVIRONMENT

February 18, 1972

Rep. Iwanicki: Commissioner, I'm State Representative Iwanicki. If this is transferred over, how much more do you think you need for your personnel, staff? Would you need more money than what's in your budget at the present time?

Comm. Macdonald: Oh, this is true, but there should be budgeted funds in Environment for this activity. I believe last year their budget was somewhere in the neighborhood of \$54,000. It would be a transfer from one to the other. As a matter of fact, the Shellfish Commission was part of the Department of Agriculture and Natural Resources; it's just a moving back.

Sen. Gunther: I'm sorry I missed the first part of your presentation.

Comm. Macdonald: So am I, Senator!

Rep. Ciampi: Seeing that it's your bill, Senator!

Sen. Gunther: Well, I was out trying to chase the bill. Did you reflect on what other states do have as far as the agricultural aspects of aquaculture, and that type of thing?

Comm. Macdonald: I think I did, Senator. I pointed out the state of Florida, Delaware.

Sen. Gunther: All right. Thank you. Sorry to have missed...

Rep. Clark: May I ask one question? Commissioner, I'm Rep. Clark from Branford. Would the Marine Resources Commission be the type of advisory commission, or isn't that what their function is at the present time?

Comm. Macdonald: I think it would probably be a commission similar to the former Shellfish Commission. This commission you speak of was made up of several outside the shellfish interests area of interest.

Rep. Ciampi: Any more questions? Thank you, Commissioner. I think we'll hear now from John Baker, who can probably put it back to back - what the Commissioner just said.

Mr. Baker: Good afternoon, I'm John Baker, and I'm sorry that I missed the first part of this meeting, because I was with Gunther looking up the bill! I might say that I was the last Shellfish Commissioner, Commission Chairman, and we expired about 91 years after our inception, almost to the day, as a Shellfish Commission. I'd like to take you back through a little bit of history of the Shellfish Commission. Back in 1881, there were probably in the neighborhood of three or four hundred, and I have to use round figures, because the statistical data is not

FRIDAY

THE ENVIRONMENT

February 18, 1972

documented, but there were three or four hundred people, shellfish businesses operating at that time. At the present time, there are two major, or three major - there is Long Island Oyster Farms, there's Bloom Brothers, Raydel, several smaller outfits. At the present time, there is one outfit that is marketing from Connecticut; however, the amount of money that shows on your yearly market index is erroneous, because almost every oyster that is grown and sold from Long Island started its life in Connecticut. Long Island does not have the ability to raise seed oysters; yet Long Island, I think, markets somewhere in the neighborhood of about \$4,000,000 a year. And the way that this is happening - there are seed oysters taken out of Connecticut, brought over to Long Island, and six weeks later they're marketed from Long Island. We have no record of this, no way to get a record of this.

When we took over in 1971, I think it was in July, the Food and Drug Administration had seriously endangered the shellfish industry in Connecticut by threatening the close down the whole area. Myself, Norman Bloom, Ed Fordham, met with the Health Department, Mr. Wiggins, Mike Rosetti, and several others, and at that time we were able to get a meeting with the Food and Drug Administration to find out what the problems were, and why the shellfishery was being closed down in the state of Connecticut without adequate notice, so-called. Now this again would have endangered 31 people getting a living from the natural beds in Bridgeport; it would have sent out of state all of the oystering, all the oyster marketing, clam marketing from the state of Connecticut; so we, the beginners of the oyster and clam market for the country, would have been now nothing more than a seed bed.

We met with the Food and Drug Administration, we talked with them, we went to Washington, we talked with them down there, we went to Roncocomo, we talked with them there; and in the succeeding time, we talked with Mr. Wiggin's people, we've come up with better criteria for testing water, we've come up with more data so that we know when we have to shut down, when we can open up, and so on and so forth. So that, instead of being closed down, we're on the gain. We have gained Westport, we've opened up; we're looking to open up another area in Southport, which is testing well. We're talking with the Health Department, very close to them. We are marketing from the Norwalk area, and marketing well. There's a great demand for the oysters that come out of Long Island Sound. I don't know whether anybody has had any oysters from Long Island Sound,

but, in part of our job that we, as the past Shellfish Commission, have done - we found that there were very, very few people knew that there was a shellfishery out on their borders. We did take on the shellfish boat, we took the South Central elected officials out; we brought them up into New Haven Harbor, we took them up in the Quinnipiac River, and through that, the Committee to Save the Quinnipiac River was evolved. This was to get some of the pollution cleaned up, and so on and so forth. We took them out, showed them that there were oysters out there, we went out and we picked oysters up. We made them aware that they do have a natural resource that has a potential, as well as a cultivated resource here that has a potential for business again.

We went down to Norwalk, we took the people out from Norwalk. We took them out, and we showed them that there are oysters, there are clams in the Norwalk area, what can be done. In fact, right now in the Norwalk area, we, from the Shellfish Commission that was, evolved a plan whereby we took clams out of polluted areas, grossly polluted areas, that were of no value, no use, and that were absolutely worthless to anybody, until they could be replanted in a clean area. The Norwalk area is under the jurisdiction of the Town of Norwalk, so we were able to work a contract with the Norwalk shellfish area to move clams out of there out to the Ram Island Bay area, I don't know exactly what the proportion was, but we were moving them out at no cost to the town, and now this summer, these will be available for those people of the state of Connecticut who want to go out in the Norwalk area in the islands and be able to get some clams.

We are trying to work up the same type of thing with the Town of Westport out on Cockenoe Island. These clams at the present time are worth nothing, but when they are moved out into a clean area, they will, for recreational purposes, be excellent. They will be clean. We have gone down, the Housatonic River is going to be dredged; we were very close to that, we find that there are ten to twelve to fifteen thousand bushels of oysters in the Housatonic River channel. We're working on that, or we were working on that to make sure that this resource was saved, rather than spoiled.

I believe, though, that at the present time, the shellfish natural growers, the shellfish industry, needs a closer contact with somebody who can make some decisions for them. And I think that these decisions can only be made by a Commission who meets at least twice a month, as we did. Thank you.

FRIDAY

THE ENVIRONMENT

February 18, 1972

Rep. Ciampi: Any questions?

Sen. Gunther: I think that one of the points that we're meeting here for is to the compatibility in the Department of Agriculture as opposed to the present Environment Department. Do you have any feelings in that direction?

Mr. Baker: I feel that this shellfishery is both a natural and a cultivated business. The cultivated beds are the same as a farmer working his carrots and peas and so on and so forth. I do believe that this should be under the Agriculture Department, because again, these people are farmers. I believe also that by leaving these beds closed down, and by not working them at all, it's like when you plant carrots, you have to thin them out; if you don't thin clams and oysters out, you're going to be in the same problem with carrots and peas and corn and so forth, you're going to find a lot of stunted growth.

Rep. Ciampi: Thank you, Mr. Baker. Thomas Sharpless.

Mr. Sharpless: Chairman Ciampi and members of the Environment Committee. I wish to speak on the subject of phosphates.

Rep. Ciampi: Your name, please.

Mr. Sharpless: Tom Sharpless, I am the Connecticut coordinator of the Connecticut River Ecology Action Corporation. I've awaited with interest some evidence of the effects of the bans on phosphates, or restrictions on phosphates, that have been made in various states, and I do have an article here which does describe something of the effect, and I wish to speak in favor...I wish to commend you on the legislation that has been passed, and I wished to support any further strengthening of that legislation, and particularly closing the gap with the dairy usage of phosphates.

I wish to bring to your attention the following article which appeared in the January-February issue, 1972 of "Environment Magazine." "Water quality in streams in Erie County, New York, has improved, following a limitation of the allowable phosphate content of detergents, according to Dr. R. A. Sweeney, director of the Great Lakes Laboratory of the State University College at Buffalo. As of June 1971, detergents sold in Erie County were required to contain no more than 8.7 percent phosphates. Tests run independently by the Erie County Department of Health and the Great Lakes Laboratory have demonstrated that since initiation of the partial ban on phosphates, there has been more than a 20 percent improvement in general