

MAINE STATE LEGISLATURE

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R. of S.

L.D. 354

(Filing No. H-384)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
116TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 276, L.D. 354, Bill, "An Act to Protect the Health of Anglers"

Amend the bill by striking out the title and substituting the following:

'An Act to Assess the Health Risks Associated with Ingestion of Fish Caught by Noncommercial Anglers'

Further amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'Sec. 1. 22 MRSA §1696-I is enacted to read:

§1696-I. Noncommercial fishing and public health

The Director of the Bureau of Health shall assess regularly whether any health threats exist for persons consuming freshwater and anadromous fish caught in state waters by noncommercial anglers. The assessment must be based on appropriate technical and scientific data and public health analyses and must include, but is not limited to, the risk of carcinogenic, mutagenic, teratogenic and reproductive effects and infectious disease. In preparing the assessment, the director shall consult with the Commissioner of Marine Resources, the Commissioner of Environmental Protection and the Commissioner of Inland Fisheries and Wildlife.

If, in the professional judgment of the Director of the Bureau of Health, conditions exist in which consumption of fish caught in state waters poses a threat to public health, the director shall prepare an advisory of the public health threat. The advisory must be in a form suitable for posting in places frequented by noncommercial anglers, included in the abstract of fish and wildlife laws prepared under Title 12, section 7034, subsection 5 and distributed to all holders of sport fishing

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licenses. The director has final authority regarding the content of the advisory, including the exact language used in the advisory. The Commissioner of Inland Fisheries and Wildlife is responsible for printing and posting verbatim copies of the advisory and for incorporating the verbatim health advisory in the abstract of fish and wildlife laws.

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FISCAL NOTE

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The Department of Human Services will incur some minor additional costs to assess and prepare an advisory on any health risks posed to persons who eat sport fish caught by noncommercial anglers in state waters. These costs can be absorbed within the Bureau of Health's existing budgeted resources.

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The Department of Inland Fisheries and Wildlife will incur some minor additional costs to print and distribute the required health advisories. These costs can be absorbed within the department's existing budgeted resources.'

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STATEMENT OF FACT

This amendment replaces the original bill. The amendment differs from the original bill in the following ways.

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1. It removes the requirement that the Bureau of Health submit an annual report to the Legislature.

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2. It clarifies that the health assessment conducted by the Bureau of Health pertains to fish caught in state waters by noncommercial anglers.

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3. It clarifies that the Director of the Bureau of Health has final say on wording of health advisories regarding consumption of fish caught by noncommercial anglers.

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4. It removes a provision of the bill that prohibits the Bureau of Health from sharing any drafts of its advisories prior to final release, clarifying that scientific peer review of the draft advisories is allowed.

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5. It adds a fiscal note to the bill.

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Reported by the Committee on Human Resources
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