

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)



# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

---

Legislative Document

No. 435

---

H.P. 319

House of Representatives, January 14, 1999

**An Act to Include the Supporting Statistical Data in Mercury Warnings  
Relating to the Consumption of Fish.**

---

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative PERKINS of Penobscot.

Cosponsored by Representatives: CLARK of Millinocket, DUGAY of Cherryfield, MAYO of Bath, WHEELER of Eliot, Senator: KIEFFER of Aroostook.

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

4 **Sec. 1. 22 MRSA §1696-I**, as enacted by PL 1993, c. 280, §1,  
is amended to read:

6 **§1696-I. Noncommercial fishing and public health**

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

20 If, in the professional judgment of the Director of the  
Bureau of Health, conditions exist in which consumption of fish  
22 caught in state waters poses a threat to public health, the  
director shall prepare an advisory of the public health threat.  
24 The advisory must be in a form suitable for posting in places  
frequented by noncommercial anglers, included in the abstract of  
26 fish and wildlife laws prepared under Title 12, section 7034,  
subsection 5 and distributed to all holders of sport fishing  
28 licenses. The director has final authority regarding the content  
of the advisory, including the exact language used in the  
30 advisory. If the public health threat is caused by the presence  
of mercury in fish, the advisory must contain information on the  
32 technical and scientific data that support the advisory. The  
Commissioner of Inland Fisheries and Wildlife is responsible for  
34 printing and posting verbatim copies of the advisory and for  
incorporating the verbatim health advisory in the abstract of  
36 fish and wildlife laws.

38 **SUMMARY**

40 This bill requires that a fish consumption advisory based on  
42 a threat to public health from the presence of mercury in fish  
contain information on the data that support the advisory.