

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Health & Human Services
2 Committee

3 Representative Gossett-Seidman offered the following:

4
5 **Amendment**

6 Remove lines 45-96 and insert:

7 owners of beach waters and public bathing places to notify
8 the department within 24 hours after a test result indicates
9 that a sample of the beach waters or public bathing place fails
10 to meet standards established by the department.

11 (3) The department shall, within 24 hours or the next
12 business day, whichever occurs first, may issue health
13 advisories if the quality of beach waters or a public bathing
14 place fails to meet standards established by the department and
15 shall require closure of beach waters and public bathing places
16 that fail to meet the department's standards if it deems closure

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17 is necessary to protect the health, safety, and welfare of the
18 public. Closures must remain in effect until the quality of the
19 beach waters or public bathing place is restored in accordance
20 with the department's standards and until the department has
21 removed any related health advisories that it issued. The
22 issuance of health advisories related to the results of
23 bacteriological sampling of beach waters and public bathing
24 places is preempted to the state.

25 (4) (a) When the department issues a health advisory
26 against swimming in beach waters or a public bathing place on
27 the basis of finding elevated levels of fecal coliform,
28 *Escherichia coli*, or enterococci bacteria in a water sample, the
29 department shall, within 24 hours or the next business day,
30 whichever occurs first, concurrently notify the municipality or
31 county in which the affected beach waters or public bathing
32 place is ~~are~~ located, whichever has jurisdiction, ~~and~~ the local
33 office of the Department of Environmental Protection, and the
34 local affiliates of national television networks in the affected
35 area of the advisory.

36 (b) Municipalities and counties shall, within 24 hours or
37 the next business day, whichever occurs first, notify the
38 department of any incident that makes the water quality of beach
39 waters or public bathing places within their respective
40 jurisdictions unsafe. Owners of public boat docks, marinas, and
41 piers shall, within 24 hours or the next business day, whichever

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42 occurs first, notify the jurisdictional municipality or county
43 of any incident that makes the water quality of beach waters in
44 which the dock, marina, or pier is located unsafe.

45 (c) The local office of the Department of Environmental
46 Protection shall promptly investigate wastewater treatment
47 facilities within 1 mile of the affected beach waters or public
48 bathing place to determine if a facility experienced an incident
49 that may have contributed to the contamination and provide the
50 results of the investigation in writing or by electronic means
51 to the municipality or county, as applicable.

52 (d) The department shall adopt by rule a sign that must be
53 used when it issues a health advisory against swimming in
54 affected beach waters or public bathing places due to elevated
55 levels of fecal coliform, *Escherichia coli*, or enterococci
56 bacteria in the water. The department shall require that the
57 health advisory sign be no less than 16.5 inches by 30 in
58