

Date:

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**INLAND FISHERIES AND WILDLIFE**

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**STATE OF MAINE**

**SENATE**

**126TH LEGISLATURE**

**FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 268, L.D. 730, Bill, “An Act To Protect Maine's Loons by Banning Lead Sinkers and Jigs”

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

**Sec. 1. 12 MRSA §12663-A**, as enacted by PL 2003, c. 655, Pt. B, §288 and affected by §422, is repealed.

**Sec. 2. 12 MRSA §12663-B** is enacted to read:

**§12663-B. Unlawful sale of lead sinkers and jigs**

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Bare lead jig" means an unpainted lead jig.

B. "Lead jig" means a weighted fishing hook that contains lead and that:

(1) Weighs one ounce or less; or

(2) Measures 2 1/2 inches or less in length.

"Lead jig" does not include fishing-related items other than weighted hooks, including but not limited to fishing line, flies, lures or spoons.

C. "Lead sinker" means a device that contains lead that is designed to be attached to a fishing line and intended to sink the line and that:

(1) Weighs one ounce or less; or

(2) Measures 2 1/2 inches or less in length.

"Lead sinker" does not include artificial lures, weighted line, weighted flies or jig heads.

**COMMITTEE AMENDMENT**

1        **2. Sale of lead sinker or jig.** This subsection governs the sale of lead sinkers, lead  
2        jigs and bare lead jigs.

3            A. A person may not:

4                    (1) Sell a lead sinker;

5                    (2) Sell a bare lead jig; or

6                    (3) Beginning September 1, 2016, sell a lead jig.

7            B. A person who violates this subsection commits a civil violation for which a fine  
8            of not less than \$100 nor more than \$500 may be adjudged.

9            C. A person who violates this subsection after having been adjudicated as having  
10           committed 3 or more civil violations under this Part within the previous 5-year period  
11           commits a Class E crime.

12        **3. Offer lead sinker or jig for sale.** This subsection governs offering lead sinkers,  
13        lead jigs and bare lead jigs for sale.

14           A. A person may not:

15                    (1) Offer for sale a lead sinker;

16                    (2) Offer for sale a bare lead jig; or

17                    (3) Beginning September 1, 2016, offer for sale a lead jig.

18           B. A person who violates this subsection commits a civil violation for which a fine  
19           of not less than \$100 nor more than \$500 may be adjudged.

20           C. A person who violates this subsection after having been adjudicated as having  
21           committed 3 or more civil violations under this Part within the previous 5-year period  
22           commits a Class E crime.

23        **Sec. 3. 12 MRSA §12664** is enacted to read:

24        **§12664. Unlawful use of lead sinkers and jigs**

25           **1. Definitions.** As used in this section, unless the context otherwise indicates, the  
26        following terms have the following meanings.

27           A. "Bare lead jig" means an unpainted lead jig.

28           B. "Lead jig" means a weighted fishing hook that contains lead and that:

29                    (1) Weighs one ounce or less; or

30                    (2) Measures 2 1/2 inches or less in length.

31           "Lead jig" does not include fishing-related items other than weighted hooks,  
32           including but not limited to fishing line, flies, lures or spoons.

33           C. "Lead sinker" means a device that contains lead that is designed to be attached to  
34           a fishing line and intended to sink the line and that:

35                    (1) Weighs one ounce or less; or

- 1                   (2) Measures 2 1/2 inches or less in length.
- 2                   "Lead sinker" does not include artificial lures, weighted line, weighted flies or jig  
3                   heads.
- 4                   **2. Unlawful use.** This subsection governs the use of lead sinkers, lead jigs and bare  
5                   lead jigs.
- 6                   A. A person may not:
- 7                   (1) Use a lead sinker;
- 8                   (2) Use a bare lead jig; or
- 9                   (3) Beginning September 1, 2017, use a lead jig.
- 10                   B. A person who violates this subsection commits a civil violation for which a fine  
11                   of not less than \$100 nor more than \$500 may be adjudged.
- 12                   C. A person who violates this subsection after having been adjudicated as having  
13                   committed 3 or more civil violations under this Part within the previous 5-year period  
14                   commits a Class E crime.'

### SUMMARY

16                   This amendment, which is the majority report of the Joint Standing Committee on  
17                   Inland Fisheries and Wildlife, prohibits the sale, offer for sale and use of lead sinkers  
18                   weighing one ounce or less or measuring 2 1/2 inches or less in length and prohibits the  
19                   sale, offer for sale and use of unpainted lead jigs weighing one ounce or less or measuring  
20                   2 1/2 inches or less in length. Beginning September 1, 2016, the sale or offer for sale of  
21                   all lead jigs weighing one ounce or less or measuring 2 1/2 inches or less in length is  
22                   prohibited. Beginning September 1, 2017, the amendment prohibits the use of all lead  
23                   jigs weighing one ounce or less or measuring 2 1/2 inches or less in length.

### FISCAL NOTE REQUIRED

(See attached)