

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND TWENTY-THREE

H.P. 605 - L.D. 958

An Act to Expand Protections to Maine's Loons from Lead Poisoning by Prohibiting the Sale and Use of Certain Painted Lead Jigs

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

Sec. 1. 12 MRSA §12663-B, as enacted by PL 2013, c. 372, §2, is amended to read:
§12663-B. Unlawful sale of lead sinkers ~~and~~, bare lead jigs and painted lead 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 that contains lead and that:

- (1) Weighs one ounce or less; or
- (2) Measures 2 1/2 inches or less in length.

B. "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.

C. "Painted lead jig" means a painted lead jig that contains lead and that:

- (1) Weighs one ounce or less; or
- (2) Measures 2 1/2 inches or less in length.

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

A. A person may not:

- (1) Sell a lead sinker; ~~or~~
- (2) Beginning September 1, 2016, sell a bare lead jig; or
- (3) Beginning September 1, 2024, sell a painted lead jig.

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

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

3. Offer lead sinker ~~or~~, bare lead jig or painted lead jig for sale. This subsection governs offering lead sinkers ~~and~~, bare lead jigs and painted lead jigs for sale.

A. A person may not:

- (1) Offer for sale a lead sinker; ~~or~~
- (2) Beginning September 1, 2016, offer for sale a bare lead jig; or
- (3) Beginning September 1, 2024, offer for sale a painted lead jig.

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

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

Sec. 2. 12 MRSA §12664, as enacted by PL 2013, c. 372, §3, is amended to read:

§12664. Unlawful use of lead sinkers ~~and~~, bare lead jigs and painted lead 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 that contains lead and that:

- (1) Weighs one ounce or less; or
- (2) Measures 2 1/2 inches or less in length.

B. "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.

C. "Painted lead jig" means a painted lead jig that contains lead and that:

- (1) Weighs one ounce or less; or
- (2) Measures 2 1/2 inches or less in length.

2. Unlawful use. This subsection governs the use of lead sinkers ~~and~~, bare lead jigs and painted lead jigs.

A. A person may not:

- (1) Use a lead sinker; ~~or~~
- (2) Beginning September 1, 2017, use a bare lead jig; or

(3) Beginning September 1, 2026, use a painted lead jig.

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

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