

MAINE STATE LEGISLATURE

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SAC
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MAJORITY

L.D. 730

Date: 6/6/2013

(Filing No. S-231)

INLAND FISHERIES AND WILDLIFE

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

126TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" 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 B, §288 and affected by §422, is repealed.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

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

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

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

A. A person may not:

(1) Use a lead sinker;

(2) Use a bare lead jig; or

(3) Beginning September 1, 2017, use a 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.'

SUMMARY

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

FISCAL NOTE REQUIRED

(See attached)



126th MAINE LEGISLATURE

LD 730

LR 1020(02)

An Act To Protect Maine's Loons by Banning Lead Sinkers and Jigs

Fiscal Note for Bill as Amended by Committee Amendment "A"(S-231)
Committee: Inland Fisheries and Wildlife
Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund
Minor revenue increase - General Fund

Correctional and Judicial Impact Statements

Establishes new Class E crimes and civil violations.

The collection of additional fines may also increase General Fund revenue by minor amounts.