

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-FIVE

—
H.P. 90 - L.D. 157

An Act to Amend Certain Inland Fisheries and Wildlife Laws

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

Sec. 1. 12 MRSA §10206, sub-§11, as amended by PL 2023, c. 228, §2, is repealed.

Sec. 2. 12 MRSA §10268 is enacted to read:

§10268. Fish and Wildlife Management Education Fund

The department shall deposit \$1 of every hunting license and trapping license fee collected pursuant to sections 11109, 11109-A and 12201 in a separate account within the department, to be known as the Fish and Wildlife Management Education Fund. The fund is nonlapsing. The department shall use money in the fund on an annual basis to educate the public on the management of game species of fish and wildlife and to communicate with the public about department programs. The department may contract with a private entity to provide this education. Education provided pursuant to this section may include information about how hunting and fishing help to manage specific species. The department may continue its activities pursuant to this section during ballot initiative campaigns concerning fish and wildlife issues. The funds may also be used for education programs for youth or families that promote participation in hunting, fishing, trapping or other outdoor recreational activities.

Sec. 3. 12 MRSA §10902, sub-§6, ¶D, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

D. Discharging a firearm or archery equipment within 100 yards of a residential dwelling without owner permission, in violation of section 11209;

Sec. 4. 12 MRSA §11154, sub-§6, as amended by PL 2011, c. 370, §6, is further amended to read:

6. Application procedure. An eligible person wishing to apply for a permit must file ~~a written~~ an application for a permit on a form furnished by the commissioner. The application fee is nonrefundable. A person may not file ~~no~~ more than one application. A person who submits more than one application is disqualified from the selection of permittees. The application must be accompanied by an application fee of:

A. For a resident:

(1) Fifteen dollars for a one-chance application; or

B. For a nonresident:

(1) Fifteen dollars for a one-chance application;

(2) Twenty-five dollars for a 3-chance application;

(3) Thirty-five dollars for a 6-chance application; and

(4) Fifty-five dollars for a 10-chance application; multiple 10-chance options may be purchased.

A clerk or agent appointed by the commissioner under section 10801 may process an application under this subsection. The clerk or agent shall charge a fee of \$2 for each application under this subsection processed by that clerk or agent.

The commissioner shall allow an applicant to indicate that that applicant does not want to receive a moose permit pursuant to the application but wishes to receive the corresponding points under subsection 8 for that application.

Sec. 5. 12 MRSA §12201, sub-§3, as amended by PL 2023, c. 646, Pt. A, §16, is further amended to read:

3. Successful completion of trapper education program required for license.

Except as provided in paragraph A, a person who applies for a state license to trap, other than a junior trapping license pursuant to subsection 2, paragraph B or an apprentice trapper license issued under section 12204, must submit proof of having successfully completed a trapper education course of the type described in section 10108, subsection 7 or satisfactory evidence of having previously held an adult license to trap in this State ~~or any other state, province or country~~ in any year beginning in or after 1978. If a person submits satisfactory evidence of having previously held an adult license to trap in any other state, province or country, the person must also submit proof of having successfully completed a trapper education course comparable to the type described in section 10108, subsection 7.

When proof or evidence ~~can not~~ cannot otherwise be provided, the person may substitute a signed affidavit that that person has previously held the required adult trapping license or that that person has successfully completed the required trapper education course.

A. A person who is an enrolled member of the Passamaquoddy Tribe, the Penobscot Nation, the Houlton Band of Maliseet Indians or the Mi'kmaq Nation who presents certification from the respective reservation chief or governor or the Mi'kmaq Nation Tribal Council stating that the person is an enrolled member of a federally recognized nation, band or tribe listed in this paragraph is exempt from the requirements of this subsection.

Sec. 6. 12 MRSA §12663-B, as amended by PL 2023, c. 231, §1, is further amended to read:

§12663-B. Unlawful sale of lead sinkers, ~~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:~~ does not include artificial lures, ice-fishing sounders, weighted line, weighted flies or jig heads.

- (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.~~

D. "Lead jig" means a hook with a lead weight molded to it, regardless of whether it is painted, coated or covered by some other substance or by attached skirts. "Lead jig" does not include a fishing-related item, including, but not limited to, lead-core line, spinnerbaits, buzzbaits, spoons, poppers, plugs or flies.

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

~~A. A person may not:~~

- (1) ~~Sell a lead sinker;~~
- (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, bare lead jig or painted lead jig for sale.** This subsection governs offering lead sinkers, bare lead jigs and painted lead jigs for sale.~~

~~A. A person may not:~~

- (1) ~~Offer for sale a lead sinker;~~
- (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.~~

4. Sell or offer for sale lead sinker or lead jig. This subsection governs the sale or offering for sale of lead sinkers and lead jigs.

A. A person may not sell or offer for sale a lead sinker or unpainted lead jig that:

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

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. 7. 12 MRSA §12664, as amended by PL 2023, c. 231, §2, is further amended to read:

§12664. Unlawful use of lead sinkers, ~~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:~~ does not include artificial lures, ice-fishing sounders, weighted line, weighted flies or jig heads.

- ~~(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.~~

D. "Lead jig" means a hook with a lead weight molded to it, regardless of whether it is painted, coated or covered by some other substance or by attached skirts. "Lead jig" does not include a fishing-related lead item, including, but not limited to, a lead core line, spinnerbaits, buzzbaits, spoons, poppers, plugs or flies.

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

A. A person may not:

- (1) Use a lead sinker;
- (2) Beginning September 1, 2017, use a bare lead jig; or
- (3) Beginning September 1, 2026, use a painted lead jig.

A-1. A person may not use a lead sinker or unpainted lead jig that:

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

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. 8. 12 MRSA §12708, sub-§1, ¶B, as amended by PL 2021, c. 184, §§10 to 12, is further amended by enacting a new subparagraph (4-A) to read:

(4-A) Caribou Stream WMA - Washburn, Woodland - Aroostook County;

Sec. 9. 12 MRSA §12708, sub-§1, ¶B, as amended by PL 2021, c. 184, §§10 to 12, is further amended by enacting a new subparagraph (18-A) to read:

(18-A) Lexington WMA - Lexington Township - Somerset County;

Sec. 10. 12 MRSA §12708, sub-§1, ¶B, as amended by PL 2021, c. 184, §§10 to 12, is further amended by enacting a new subparagraph (19-A) to read:

(19-A) Macwahoc WMA - Upper Molunkus Township, North Yarmouth Academy Grant Township (T1 R4 WELS) - Aroostook County;

Sec. 11. 12 MRSA §12708, sub-§1, ¶B, as amended by PL 2021, c. 184, §§10 to 12, is further amended by enacting a new subparagraph (35-A) to read:

(35-A) Rangeley WMA - Rangeley - Franklin County;

Sec. 12. 12 MRSA §12708, sub-§1, ¶B, as amended by PL 2021, c. 184, §§10 to 12, is further amended by repealing subparagraph (46).

Sec. 13. 12 MRSA §12953, sub-§7, as amended by PL 2017, c. 164, §24, is further amended to read:

7. Renewal Expiration and renewal of license; fees. Licenses Prior to January 1, 2026, licenses issued pursuant to this section expire 3 years from the date of issuance unless revoked sooner. Beginning January 1, 2026, a taxidermist license entitles a person to practice the art of taxidermy through the remainder of the calendar year in which the license was issued plus 2 calendar years unless revoked sooner. A taxidermist whose license is not suspended or revoked may renew the license every 3 years upon application by the licensee accompanied by a \$77 license fee.

Sec. 14. 12 MRSA §13068-A, sub-§14, as enacted by PL 2003, c. 655, Pt. B, §380 and affected by §422, is amended to read:

14. Operating motorboat watercraft in bathing swim areas. The following provisions apply to operating a motorboat watercraft in a bathing swim area.

A. A person may not:

- (1) Operate a motorboat watercraft within a bathing swim area marked or buoyed for bathing swimming; or

(2) Operate an airmobile on a beach adjacent to a ~~bathing~~ swim area marked or buoyed for ~~bathing~~ swimming.

B. The following penalties apply to violations of this subsection.

(1) 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.

(2) 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.