

STATE OF MAINE

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

—
H.P. 1379 - L.D. 2055

An Act to Amend or Correct Certain Inland Fisheries and Wildlife Laws

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

Sec. 1. 12 MRSA §11154, sub-§16, as amended by PL 2025, c. 289, §2 and affected by §3, is further amended to read:

16. Moose permit transfer; disabled veterans. A person who holds a valid moose permit may transfer, in accordance with this subsection, that permit to a disabled veteran who meets the eligibility and permit requirements under this section and section 10853, subsection 4 and who is not otherwise prohibited from holding a moose permit. The commissioner may authorize a permit holder to transfer the moose permit to a disabled veteran identified by the permit holder or the permit holder may return the permit to the department, which, in accordance with rules adopted by the commissioner, shall provide for the transfer of the permit to a disabled veteran. A transferor and a transferee of the permit are subject to the elimination of any accumulated points under subsection 8 and the transferee is subject to the eligibility period under subsection 5 that prohibits a transferee that transfers a moose permit pursuant to this subsection from obtaining another moose permit until the 4th calendar year after the issuance of the last permit. Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. 12 MRSA §12509, as amended by PL 2025, c. 343, §§5 to 7, is further amended to read:

§12509. Permit to import live freshwater fish or eggs gametes

1. Permit required. Except as otherwise authorized pursuant to this Part, a person may not introduce, import or transport any live fish or ~~fish-eggs gametes~~ into the State or receive or have in that person's possession fish or ~~fish-eggs gametes~~ so introduced, imported or transported without a valid permit issued under this section.

A person who violates this subsection commits a Class E crime, except that, notwithstanding Title 17-A, section 1704, the fine may not be less than \$1,000 nor more than \$10,000.

2. Issuance. The commissioner may grant permits to introduce, import or transport any live fish or ~~fish-eggs gametes~~ into the State or to receive or have in possession fish or ~~fish-eggs gametes~~ so introduced, imported or transported if the commissioner determines that the species does not pose an unreasonable risk to any species of fish or other organism after evaluating fish health, habitat and population management issues. The commissioner may not adopt rules or issue permits governing any aspect of either the commercial aquaculture of Atlantic salmon when intended for use in commercial aquaculture in coastal waters, or in land-based aquaculture facilities, or the Atlantic salmon restoration program.

3. Application. Importers shall, when requesting a permit issued pursuant to subsection 2, provide the commissioner with the following information:

- A. The number and species to be imported;
- B. The name and address of the source;
- C. A statement from a fish health inspector certified by the American Fisheries Society, a fish pathologist certified by the American Fisheries Society or a licensed accredited veterinarian, certifying that the fish or ~~fish-eggs gametes~~ are from sources that show no evidence of viral hemorrhagic septicemia, infectious pancreatic necrosis, infectious hematopoietic necrosis, Myxosomo cerebralis or other diseases that may threaten fish stocks within the State; and
- D. Other professionally recognized tests or analyses, including evaluation of fish health, habitat or population management issues that the commissioner may require by rule to ensure that the species will not pose an unreasonable risk to any species of fish or other organism.

4. Rules. The commissioner may adopt rules allowing the possession and importation of certain species of tropical fish and goldfish without a permit, for aquarium purposes only, if the commissioner determines that the species does not pose an unreasonable risk to any species of fish or other organism after evaluating fish health, habitat and population management issues. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 3. 12 MRSA §12510, as amended by PL 2025, c. 343, §8, is further amended to read:

§12510. Permit to stock inland waters

1. Permit required. Except as otherwise authorized pursuant to this Part, a person may not introduce fish or ~~fish-eggs gametes~~ of any kind into any inland waters without a valid permit issued under this section.

1-A. Penalty. A person who violates subsection 1 commits a Class E crime, except that, notwithstanding Title 17-A, section 1704, the fine may not be less than \$1,000 or more than \$10,000.

1-B. Restitution. In the case of a person who violates subsection 1, the court shall:

- A. Order that person to pay the department an amount equal to the cost of labor, equipment, chemicals and all other related expenses directly associated with mitigating or reclaiming waters affected as a result of the violation; and

B. Direct that person to provide the commissioner, upon making full payment as ordered by the court under paragraph A, proof of that payment.

2. Issuance. The commissioner may issue a written permit allowing a person to introduce fish or ~~fish-eggs gametes~~ of any kind into any inland waters by means of live fish or otherwise.

3. Limited permit. The commissioner may issue a written limited permit to a local government under this subsection. A limited permit:

A. Allows the local government to introduce fish or ~~fish-eggs gametes~~ only into a great pond that:

- (1) Is within the jurisdiction of the local government; and
- (2) Was previously stocked by the department and in which stocking was suspended prior to January 1, 2019 and has not been resumed by the department due to inadequate public access;

B. Allows the introduction of only:

- (1) The same species of fish that was stocked at the time the department suspended stocking; and
- (2) Fish or ~~fish-eggs gametes~~ obtained by the local government at its own expense from an in-state commercial facility that meets testing and health guidelines approved by the department; and

C. May be issued only if the local government identifies public access to the great pond that:

- (1) Is at least suitable for the hand carrying of boats to the water;
- (2) Includes a parking area; and
- (3) Has been marked with signage adequate to ensure public awareness of the public access.

For purposes of this subsection, "local government" means a municipality or, in the unorganized territory, a county.

Sec. 4. 12 MRSA §12511, as amended by PL 2025, c. 343, §9, is further amended to read:

§12511. Permit to introduce fish or ~~fish-eggs gametes~~ into private pond

1. Permit required. Except as otherwise authorized pursuant to this Part, a person may not introduce fish or ~~fish-eggs gametes~~ into a private pond without a valid permit issued under this section.

1-A. Penalty. A person who violates subsection 1 commits a Class E crime, except that, notwithstanding Title 17-A, section 1704, the fine may not be less than \$1,000 or more than \$10,000.

1-B. Restitution. In the case of a person who violates subsection 1, the court shall:

A. Order that person to pay the department an amount equal to the cost of labor, equipment, chemicals and all other related expenses directly associated with mitigating or reclaiming waters affected as a result of the violation; and

B. Direct that person to provide the commissioner, upon making full payment as ordered by the court under paragraph A, proof of that payment.

2. Issuance. The commissioner may issue a written permit to introduce fish or ~~fish eggs~~ gametes into a private pond.

Sec. 5. 12 MRSA §12607, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by Pt. D, §7 and c. 614, §9, is amended by amending the section headnote to read:

§12607. Unlawfully introducing department-raised fish or ~~fish-spawn~~ gametes

Sec. 6. 12 MRSA §12607, sub-§1, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

1. Prohibition. A person may not introduce fish or ~~fish-spawn~~ gametes raised by the department into a private pond, unless the department permits the introduction for fishing events held in conjunction with educational or special programs sanctioned by the department.

Sec. 7. 12 MRSA §12663-B, sub-§4, ¶A, as enacted by PL 2025, c. 132, §6, is amended to read:

A. A person may not sell or offer for sale a lead sinker or ~~unpainted~~ lead jig that: weighs one ounce or less or measures 2 1/2 inches or less in length.

(1) ~~Weighs one ounce or less; or~~

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

Sec. 8. 12 MRSA §12664, sub-§2, as amended by PL 2025, c. 132, §7, is further amended to read:

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

~~A. A person may not:~~

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

A-1. A Prior to September 1, 2026, 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.

A-2. Beginning September 1, 2026, a person may not use a lead sinker or 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.