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INLAND FISHERIES AND WILDLIFE

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STATE OF MAINE HOUSE OF REPRESENTATIVES 132ND LEGISLATURE FIRST SPECIAL SESSION

COMMITTEE AMENDMENT “ ” to H.P. 90, L.D. 157, “An Act to Amend Certain Inland Fisheries and Wildlife Laws”

Amend the bill in section 2 in §10268 in the first indented paragraph in the last line (page 1, line 14 in L.D.) by inserting after the following: “issues.” the following: “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.”

Amend the bill by striking out all of section 5.

Amend the bill by striking out all of section 7 and inserting the following:

‘Sec. 7. 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.

1 **Sec. 8. 12 MRSA §12664**, as amended by PL 2023, c. 231, §2, is further amended
2 to read:

3 **§12664. Unlawful use of lead sinkers, ~~bare lead jigs~~ and ~~painted lead jigs~~**

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

6 A. ~~"Bare lead jig" means an unpainted lead jig that contains lead and that:~~

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

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

9 B. "Lead sinker" means a device that contains lead that is designed to be attached to a
10 fishing line and intended to sink the line and ~~that:~~ does not include artificial lures,
11 ice-fishing sounders, weighted line, weighted flies or jig heads.

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

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

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

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

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

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

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

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

25 A. A person may not:

26 (1) ~~Use a lead sinker;~~

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

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

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

30 (1) Weighs one ounce or less; or

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

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

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

37 Amend the bill by striking out all of section 14 and inserting the following:

'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.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment makes several changes to the bill. It removes a provision that repealed the prohibition on the use of a set bow for hunting; it amends a provision by adding and removing definitions related to the sale and use of fishing equipment; and it amends a provision prohibiting operating a motorboat in a bathing area to prohibit operating a watercraft in a swim area.

FISCAL NOTE REQUIRED

(See attached)