

HOUSE BILL No. 5575

January 24, 2006, Introduced by Reps. Kolb, Kathleen Law, Bieda, Lipsey, Zelenko and Lemmons, III and referred to the Committee on Natural Resources, Great Lakes, Land Use, and Environment.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 174.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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PART 174. LEAD FISHING TACKLE

SEC. 17401. AS USED IN THIS PART:

(A) "JIG" MEANS A WEIGHTED FISHING HOOK THAT MEASURES LESS THAN 1.5 INCHES ALONG ITS LONGEST AXIS.

(B) "LEAD FISHING TACKLE" MEANS ANY OF THE FOLLOWING:

(i) A SINKER THAT CONTAINS 1 OUNCE OR LESS OF LEAD OR A LEAD COMPOUND.

(ii) A JIG THAT CONTAINS LEAD OR A LEAD COMPOUND.

1 (iii) AN ITEM OF FISHING TACKLE, OTHER THAN A JIG OR SINKER,
2 THAT CONTAINS ANY LEAD OR LEAD COMPOUND.

3 (C) "PERSON" MEANS AN INDIVIDUAL, CORPORATION, PARTNERSHIP,
4 ASSOCIATION, GOVERNMENTAL ENTITY, OR ANY OTHER LEGAL ENTITY.

5 (D) "SINKER" MEANS A DEVICE DESIGNED TO BE ATTACHED TO FISHING
6 LINE FOR THE PURPOSE OF SINKING THE LINE.

7 (E) "WATERS OF THE STATE" MEANS GROUNDWATERS, LAKES, RIVERS,
8 AND STREAMS AND ALL OTHER WATERCOURSES AND WATERS, INCLUDING THE
9 GREAT LAKES, WITHIN THE JURISDICTION OF THIS STATE.

10 SEC. 17402. (1) BEGINNING JANUARY 1, 2008, A PERSON SHALL NOT
11 SELL, OFFER FOR SALE, OR OFFER FOR PROMOTIONAL PURPOSES ANY LEAD
12 FISHING TACKLE IN THIS STATE OR FOR USE IN THIS STATE.

13 (2) BEGINNING JANUARY 1, 2009, A PERSON SHALL NOT USE ANY LEAD
14 FISHING TACKLE IN THE WATERS OF THE STATE.

15 SEC. 17403. BEGINNING JANUARY 1, 2007, THE DEPARTMENT, IN
16 CONSULTATION WITH ANY OTHER STATE DEPARTMENT OR AGENCY THAT THE
17 DEPARTMENT REQUESTS PARTICIPATE AND THAT AGREES TO PARTICIPATE,
18 SHALL IMPLEMENT AN EDUCATION AND OUTREACH PROGRAM CONCERNING THE
19 IMPLEMENTATION AND ENFORCEMENT OF THIS PART. THE PROGRAM MAY
20 INCLUDE ANY OF THE FOLLOWING:

21 (A) PROVIDING INFORMATION CONCERNING THE PROHIBITIONS
22 CONTAINED IN THIS SECTION TO THE PUBLIC WITH FISHING LICENSES,
23 THROUGH THE DEPARTMENT'S WEBSITE, OR BY ANY OTHER MEANS.

24 (B) ENCOURAGING FISHING TACKLE MANUFACTURERS TO PROVIDE MORE
25 LEAD-FREE FISHING TACKLE.

26 (C) COORDINATING LEAD-FREE FISHING TACKLE SWAP EVENTS.

27 (D) PROVIDING INFORMATION AND COORDINATION ON RECYCLING OR

1 DISPOSAL SITES FOR LEAD FISHING TACKLE.

2 (E) PROVIDING GENERAL INFORMATION ON THE DANGERS OF LEAD
3 FISHING TACKLE TO WILDLIFE AND HUMANS.

4 (F) ANY OTHER ACTION THE DEPARTMENT CONSIDERS APPROPRIATE TO
5 ASSIST IN OR PROVIDE INFORMATION OR EDUCATE THE PUBLIC ABOUT THE
6 IMPLEMENTATION AND ENFORCEMENT OF THIS PART.

7 SEC. 17404. (1) THE DEPARTMENT SHALL ENFORCE THIS PART.

8 (2) A PERSON WHO VIOLATES THIS PART IS GUILTY OF A MISDEMEANOR
9 PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 60 DAYS OR A FINE OF
10 NOT MORE THAN \$1,000.00, OR BOTH, PLUS THE COSTS OF PROSECUTION.