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## Environment Committee

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### HB 2241

**Brief Description:** Reducing the introduction of lead into the aquatic environment.

**Sponsors:** Representatives Moscoso, Appleton, Fitzgibbon, Jinkins, Pollet, Roberts, Dickerson and Kenney.

#### Brief Summary of Bill

- Prohibits the sale or purchase of a prohibited lead product after January 1, 2014.
- Defines prohibited lead product as either a lead weighted fishing hook or a fishing sinker meeting certain specifications, and excluding any product used for the purposes of commercial fishing.
- Requires the first entity in Washington in the stream of commerce for a prohibited lead product to notify all retailers that sell its product about the prohibition, and how to properly dispose of any remaining prohibited lead products in inventory.

**Hearing Date:** 1/23/12

**Staff:** Anna Jackson (786-7194).

#### **Background:**

##### Lead Chemical Action Plan.

Lead is a naturally occurring metal and a neurotoxin. Lead is found in a number of products, including paint, wheel weights, ammunition, and fishing hooks and sinkers. The Departments of Ecology and Health developed a Lead Chemical Action Plan (CAP) in 2009, which is a planning tool to help guide statewide efforts regarding the use of and exposure to lead. The Lead CAP identifies the dangers of lead, where it can be found in the environment, describes how people and animals are exposed, and recommends ways to protect human health and the environment from lead.

##### Restrictions on the Use of Lead Fishing Tackle.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

In December 2010 the Washington Fish and Wildlife Commission (Commission) adopted rules restricting the use of lead fishing tackle in 13 lakes in the state where loons breed and rear young. Ingestion of small lead fishing tackle is a leading cause of known mortalities of the common loon, a sensitive species in Washington. The new rules, which went into effect in May of 2011, prohibit the use of lead weights and jigs that measure one and one-half inches or less along the longest axis at 12 lakes: Ferry and Swan lakes in Ferry County; Calligan and Hancock lakes in King County; Bonaparte, Blue and Lost lakes in Okanogan County; Big Meadow, South Skookum and Yocum lakes in Pend Oreille County; Pierre Lake in Stevens County; and Hozomeen Lake in Whatcom County. In addition, the Commission banned the use of flies containing lead at Long Lake in Ferry County.

**Summary of Bill:**

After January 1, 2014, a person may not sell, offer for sale, or purchase a prohibited lead product.

"Prohibited lead product" is defined as either:

- (1) a lead weighted fishing hook with the lead portion having a mass of one ounce or less, or a size of less than one inch along its shortest axis; or
- (2) a fishing sinker containing more than one-half of one percent lead by weight if the lead portion of the sinker has a mass of one ounce or less or a size of less than one inch along its shortest axis.

A prohibited lead product does not include any product being used for the purposes of commercial fishing.

The first entity in Washington in the stream of commerce for a prohibited lead product, if not the ultimate retailer, is required to notify all retailers that sell its product about the prohibition, and how to properly dispose of any remaining prohibited lead products in inventory.

The prohibition on the sale or purchase of prohibited lead products does not apply to lead shot or other firearm ammunition.

**Appropriation:** None.

**Fiscal Note:** Requested on January 13, 2012.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.