

CHAPTER 20-B

INVASIVE AQUATIC PLANTS AND NUISANCE SPECIES CONTROL

§1871. Interagency Task Force on Invasive Aquatic Plants and Nuisance Species

The Interagency Task Force on Invasive Aquatic Plants and Nuisance Species, as established by Title 5, section 12004-D, subsection 6 and referred to in this chapter as "the task force," is established to advise the department, the Department of Inland Fisheries and Wildlife, the Department of Marine Resources and the Legislature on matters pertaining to research, control and eradication of invasive aquatic plants and nuisance species. [PL 2021, c. 522, §1 (AMD).]

1. Membership. The task force consists of 16 members as follows:

A. The following 4 ex officio voting members:

- (1) The commissioner or the commissioner's designee, who serves as the chair of the task force;
- (2) The Commissioner of Inland Fisheries and Wildlife or the commissioner's designee;
- (3) The Commissioner of Health and Human Services or the commissioner's designee; and
- (4) The Commissioner of Agriculture, Conservation and Forestry or the commissioner's designee; and [PL 2011, c. 657, Pt. X, §8 (AMD).]

B. Twelve members representing the public appointed by the Governor:

- (1) One representative of the State's lake associations;
- (2) One representative of a statewide recreational watercraft owners association;
- (3) One representative of a statewide organization of marina owners;
- (4) One representative of a lakes education program;
- (5) One representative of public drinking water utilities;
- (6) One representative of commercial tree and garden nurseries;
- (7) One representative of home gardeners;
- (8) One representative of municipal government;
- (9) One representative of a statewide sporting association;
- (10) One representative of a statewide outdoor recreational group;
- (11) One person with demonstrated expertise in lake ecology; and
- (12) One public member who has demonstrated experience or interest in the area of threats to fish and wildlife posed by invasive aquatic plants and nuisance species. [PL 2001, c. 434, Pt. B, §2 (NEW).]

[PL 2011, c. 657, Pt. X, §8 (AMD).]

2. Terms. Members appointed by the Governor serve 4-year terms, except that, as determined by the Governor, of the initial appointments, 4 must be for 3 years, including the public member, and 4 must be for 2 years. Members serve until their successors are appointed. A vacancy must be filled for the remainder of the unexpired term. If after 6 months of a vacancy on the task force in a position listed in subsection 1, paragraph B the Governor cannot fill that vacancy, the Governor may appoint a member who does not meet the qualifications of subsection 1, paragraph B, but who has demonstrated

experience or interest in the area of threats to fish and wildlife posed by invasive aquatic plants and nuisance species.

[PL 2011, c. 47, §3 (AMD).]

3. Advisory group of federal agency representatives. The task force may form an advisory group of federal agency representatives that may include, but is not limited to, representatives of the United States Department of the Interior, United States Fish and Wildlife Service and National Park Service assigned to Acadia National Park; the United States Department of Agriculture; the United States Forest Service within the United States Department of Agriculture; and the United States Environmental Protection Agency.

[PL 2001, c. 434, Pt. B, §2 (NEW).]

4. Duties. The task force shall develop findings and recommendations, including any suggested legislation, on any of the following matters and, pursuant to subsection 4-A, submit a report that includes those findings and recommendations to the department, the Department of Inland Fisheries and Wildlife, the Department of Marine Resources and the Legislature:

A. The importation and transportation of invasive aquatic plants and nuisance species; [PL 2001, c. 434, Pt. B, §2 (NEW).]

B. Monitoring and educational programs aimed at the control of invasive aquatic plants and nuisance species; [PL 2001, c. 434, Pt. B, §2 (NEW).]

C. A comprehensive state invasive aquatic plants and nuisance species management plan that meets the requirements of the National Invasive Species Act of 1996, 16 United States Code, Section 4722; [PL 2001, c. 434, Pt. B, §2 (NEW).]

D. A statewide inventory of invasive aquatic plants and nuisance species; [PL 2001, c. 434, Pt. B, §2 (NEW).]

E. Methods to improve cooperation of state, provincial, federal and nongovernmental agencies in the area of invasive aquatic plants and nuisance species prevention and control; [PL 2001, c. 434, Pt. B, §2 (NEW).]

F. Recommendations on the feasibility of implementing lake protection assessment districts that allow residents and owners of land within 250 feet of inland waters to assess themselves to raise funds to assist in the prevention and control of invasive aquatic plants; and [PL 2001, c. 434, Pt. B, §2 (NEW).]

G. Other recommendations as necessary to control the introduction of invasive aquatic plants and nuisance species in the State. [PL 2001, c. 434, Pt. B, §2 (NEW).]

In developing findings and recommendations under this subsection, the task force shall convene a stakeholder group that includes, but is not limited to, task force members, state natural resources agency staff and other persons with relevant experience or expertise including representatives of local and regional lake associations and representatives of lake protection organizations.

[PL 2021, c. 522, §2 (AMD).]

4-A. Report. On or before January 15, 2023, and biennially thereafter, the task force shall submit to the department, the Department of Inland Fisheries and Wildlife, the Department of Marine Resources and the joint standing committees of the Legislature having jurisdiction over environment and natural resources matters, inland fisheries and wildlife matters and marine resources matters a report containing its findings and recommendations, including any suggested legislation, developed pursuant to subsection 4. After reviewing the report, each joint standing committee may report out legislation related to the report.

[PL 2021, c. 522, §3 (NEW).]

5. Regional cooperation. The task force shall work with representatives from federal, state and local agencies and private environmental and commercial interests in the northeastern United States to form a northeastern regional panel to establish priorities and coordinate activities to prevent the spread of milfoil and other invasive aquatic plants and nuisance species in the Northeast.

[PL 2001, c. 434, Pt. B, §2 (NEW).]

6. Staff. The department shall provide staff support to the task force.

[PL 2001, c. 434, Pt. B, §2 (NEW).]

SECTION HISTORY

PL 2001, c. 434, §B2 (NEW). PL 2003, c. 689, §B7 (REV). PL 2011, c. 47, §3 (AMD). PL 2011, c. 657, Pt. X, §8 (AMD). PL 2013, c. 300, §§16, 17 (AMD). PL 2021, c. 522, §§1-3 (AMD).

§1872. Action plan to protect State's inland waters

The task force shall also recommend to the department an action plan to protect the State's inland waters from invasive aquatic plants and nuisance species. That plan may include, but is not limited to:

[PL 2013, c. 300, §18 (AMD).]

1. Identification of inland waters known to be infested. Identification of inland waters of the State that are known to be infested with invasive aquatic plants and nuisance species;

[PL 2001, c. 434, Pt. B, §2 (NEW).]

2. Vulnerability assessment. Recommendations on conducting a preliminary vulnerability assessment of the State's largest inland waters to identify the largest inland waters in the State most at risk of infestation by invasive aquatic plants and nuisance species. That assessment may include such factors as the proximity of the inland water body to other infested waters, proximity of major transportation routes, presence of a public watercraft launch, use of the inland water body by transient boaters, the number of lakefront property owners and other factors as the commissioner may determine to be appropriate. The assessment also must identify the most probable vectors or pathways of introduction of invasive aquatic plants and nuisance species and identify those inspection locations most likely to result in identification and prevention of new introductions;

[PL 2001, c. 434, Pt. B, §2 (NEW).]

3. Lake monitoring program. Recommendations on a program to monitor inland waters in the State for new introductions of invasive aquatic plants and nuisance species, including recommendations on implementing that program and methods to provide for the periodic inspection of inland waters for new introductions of invasive aquatic plants and nuisance species, particularly in areas close to public watercraft launch facilities;

[PL 2001, c. 434, Pt. B, §2 (NEW).]

4. Response program. Recommendations on a response program to deal with new introductions of invasive aquatic plants and nuisance species in inland waters in the State; and

[PL 2001, c. 434, Pt. B, §2 (NEW).]

5. Training and public information materials. Recommendations on the development and distribution of training materials and public information materials for use by the public, lake monitors and persons authorized to inspect boats for invasive aquatic plants and nuisance species.

[PL 2001, c. 434, Pt. B, §2 (NEW).]

SECTION HISTORY

PL 2001, c. 434, §B2 (NEW). PL 2013, c. 300, §18 (AMD).

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