

Date:

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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. 104, L.D. 171, “An Act to Enhance Protections Regarding Invasive Aquatic Plant Infestations in Inland Waters of the State”

Amend the bill by striking out the title and substituting the following:

'An Act to Enhance Protections Regarding Invasive Aquatic Plant and Animal Infestations in Inland Waters of the State'

Amend the bill by inserting after section 2 the following:

'Sec. 3. 38 MRSA §1862, sub-§5 is enacted to read:

5. Report. The commissioner and the Commissioner of Inland Fisheries and Wildlife shall submit a report detailing program activities to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters by January 15th annually. The committee may report out a bill based on the report to any regular or special session of the Legislature.

Sec. 4. 38 MRSA §1864, as amended by PL 2003, c. 551, §20 and c. 627, §8, is further amended to read:

§1864. Emergency authority to regulate surface use

The commissioner and the Commissioner of Inland Fisheries and Wildlife may jointly issue an emergency order to restrict access to or restrict or prohibit the use of any watercraft on all or a portion of a water body that has a confirmed infestation of an invasive aquatic plant or animal. The order must be for a specific period of time and may be issued only when the use of watercraft on that water body threatens to worsen or spread the infestation. The order may require that watercraft ~~on~~ using waters affected by the order be taken out of or launched on the water only at locations identified in the order. The order may require inspections and cleaning of watercraft, watercraft trailers and equipment upon removal at sites that have been identified in the order. Inspections must be conducted by designated ~~state~~ state-trained boat inspectors. For purposes of this section, "designated state boat inspector" means a person ~~employed~~ trained by the State and identified by the department

1 or the Department of Inland Fisheries and Wildlife as a person who is qualified to properly
2 conduct inspection activities.'

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

5 SUMMARY

6 This amendment authorizes the Commissioner of Inland Fisheries and Wildlife and the
7 Commissioner of Environmental Protection to issue an order on a water body with a
8 confirmed infestation of an invasive aquatic animal; current law only allows the
9 commissioners to issue an order on a water body with a confirmed infestation of an invasive
10 aquatic plant. The order may also require that watercraft be launched only at locations
11 identified in a surface use restriction order. The amendment also removes, in cases when
12 a surface use restriction order requires inspections, the requirement that inspections be
13 conducted by a state employee; instead inspections may be conducted by a state-trained
14 inspector. These changes were recommended by the Interagency Task Force on Invasive
15 Aquatic Plants and Nuisance Species in the task force's January 2025 report.

16 The amendment also requires the Commissioner of Environmental Protection and the
17 Commissioner of Inland Fisheries and Wildlife to report annually to the joint standing
18 committee of the Legislature having jurisdiction over inland fisheries and wildlife matters
19 on activities of the program to prevent infestation of and to control invasive aquatic plants.

20 FISCAL NOTE REQUIRED

21 (See attached)