

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-FIVE

H.P. 104 - L.D. 171

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

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 38 MRSA §1862, sub-§1, as enacted by PL 2001, c. 434, Pt. A, §7, is amended to read:

1. Program. The commissioner and the Commissioner of Inland Fisheries and Wildlife jointly shall implement a program to inspect watercraft, watercraft trailers and outboard motors at or near the border of the State and at boat launching sites for the presence of invasive aquatic plants; to monitor inland waters of the State known to be infested with invasive aquatic plants; and to provide educational materials to the public and to watercraft owners regarding invasive aquatic plants and surface use restrictions on inland waters of the State pursuant to section 1864.

Sec. 2. 38 MRSA §1862, sub-§4, as enacted by PL 2001, c. 434, Pt. A, §7, is amended by amending the first blocked paragraph to read:

The program in 2002 and subsequent years must be at a level of effort determined by the commissioner and the Commissioner of Inland Fisheries and Wildlife in consultation with the Interagency Task Force on Invasive Aquatic ~~Plant~~ Plants and Nuisance Species, as established in section 1871. The program must include a review of watercraft inspection protocols and surface use restrictions on inland waters of the State known to be infested with invasive aquatic plants pursuant to section 1864.

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

Sec. 5. Study of watercraft inspection protocols and surface use restrictions on inland waters of the State known to be infested with invasive aquatic plants; review of protocols and restrictions. The Commissioner of Environmental Protection and the Commissioner of Inland Fisheries and Wildlife jointly shall review watercraft inspection protocols and surface use restrictions on inland waters of the State known to be infested with invasive aquatic plants pursuant to the Maine Revised Statutes, Title 38, section 1862, subsection 1 and make recommendations related to how these protocols and restrictions could be strengthened. The commissioners jointly shall also evaluate how information about restrictions is communicated to members of the public. By January 1, 2026, the commissioners shall submit a report, including any suggested legislation, to the Joint Standing Committee on Inland Fisheries and Wildlife on their findings and recommendations with respect to watercraft inspection protocols and surface use restrictions on inland waters of the State known to be infested with invasive aquatic plants and how information on restrictions is communicated to members of the public. The committee may report out legislation based on the report to the Second Regular Session of the 132nd Legislature.