

PROPOSED AMENDMENT TO LD 92 An Act to Minimize the Propagation of Invasive Aquatic Plants

Strike section 1 in the bill and replace it with the following:

Sec. 1. 38 MRS §419-C, sub-§1 is amended to read:

1. Prohibition. A person may not:

A. Transport any aquatic plant or parts of any aquatic plant, including roots, rhizomes, stems, leaves or seeds, on the outside of a vehicle, boat, personal watercraft, boat trailer or other equipment on a public road;

B. Possess, import, cultivate, transport or distribute any invasive aquatic plant or parts of any invasive aquatic plant, including roots, rhizomes, stems, leaves or seeds, in a manner that could cause the plant to get into any state waters;

C. After September 1, 2000, sell or offer for sale in this State any invasive aquatic plant; or

D. Fail to remove any aquatic plant or parts of any aquatic plant, including roots, rhizomes, stems, leaves or seeds, from the outside of a vehicle, boat, personal watercraft, boat trailer or other equipment on a public road-; or

E. Drain or release water held on or within a watercraft, allowing that water to enter any fresh surface waters of the State. This restriction applies solely to water transported from a different water source. For the purposes of this subsection, “watercraft” has the same meaning as defined in Title 12, Section 13001, Subsection 28.

Sec. 2. 38 MRS §419-C, sub-§1-A is enacted to read:

1-A. Draining of vessels and equipment. Just prior to launching, as well as when removing a vessel from an inland water body and prior to transport away from the launch site a person shall:

A. Remove or open any hull drain plugs, bailers, valves, livewells, ballast tanks, and other devices designed for routine removal or opening and closing so as to encourage water to drain from areas containing water. Containers holding live baitfish for personal or commercial use are exempted from requirements in this subsection.

B. At no time shall drains be opened to allow hull water to enter any fresh surface waters of the State.

For the purposes of this subsection, “watercraft” has the same meaning as defined in Title 12, Section 13001, Subsection 28.

Nothing in this subsection allows a person to directly or indirectly discharge pollutants into waters of the State. This subsection does not apply to emergency response vessels and their related equipment.

SUMMARY

This amendment requires a person when removing a watercraft from an inland water body to drain the watercraft and other equipment and to remove or open drain plugs, bailers, valves and other devices to drain the water before that vessel is transported. It exempts emergency response vessels from these requirements. The amendment also prohibits draining or releasing water held on or within a watercraft that allows that water to enter any fresh surface waters of the state if the water in the watercraft is from a different water source.

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