

# MAINE STATE LEGISLATURE

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# 121st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2003

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Legislative Document

No. 1143

H.P. 846

House of Representatives, March 4, 2003

### An Act Concerning Endangered and Invasive Plant Species

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Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative DUNLAP of Old Town.  
Cosponsored by Senator BRYANT of Oxford and  
Representatives: KOFFMAN of Bar Harbor, McKEE of Wayne, PINEAU of Jay.

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

Sec. 1. 12 MRSA §544-B, sub-§3, as enacted by PL 1999, c. 556, §13, is repealed.

Sec. 2. 12 MRSA §544-B, sub-§3-A is enacted to read:

3-A. Endangered plants. The commissioner has the following responsibilities related to endangered plants.

A. The commissioner shall recommend a species to be listed as endangered or threatened.

B. In recommending a species to be listed as endangered or threatened, the commissioner shall:

(1) Make use of the rare plant database of the Natural Areas Program, the advice of the Natural Areas Advisory Board and the knowledge of botanists in the State;

(2) Consult, as appropriate, with federal agencies, other interested state agencies, other states or provinces having a common interest in the species and interested persons and organizations;

(3) Maintain a list of all species that the Legislature has designated to be endangered or threatened, naming each species by both its scientific and common name, if any; and

(4) Consider aspects of plant biology that contribute to a species' rarity such as:

(a) Endemism. The plant species or subspecies may be geographically restricted to the State or areas immediately adjacent to the State;

(b) Scarcity. A plant species or subspecies may be numerically scarce throughout its distribution in North America and occur in only a few locations in the State;

(c) Special habitat. A plant species or subspecies may require habitat that is scarce in the State;

(d) Limit of range. A plant species or subspecies in the State may be at the edge of its distribution or disjunct from its main distribution; and

2                   (e) Population decline or vulnerability. A plant  
3                   species or subspecies may be threatened or  
4                   seriously declining due to habitat modification or  
5                   destruction or from overcollection for commercial,  
6                   recreational or educational purposes.

7  
8                   C. The Legislature, as sole authority, shall designate a  
9                   species as a state endangered or state threatened species.  
10                   The list of state endangered or state threatened species is  
11                   as follows:

12                   (1) Acalypha virginica, commonly known as three-seeded  
13                   mercury;

14  
15                   (2) Achillea millefolium var. borealis, commonly known  
16                   as northern yarrow;

17                   (3) Adiantum aleuticum, commonly known as aleutian  
18                   maidenhair fern;

19  
20                   (4) Adlumia fungosa, commonly known as Allegheny vine;

21                   (5) Agalinis maritima, commonly known as saltmarsh  
22                   false-foxglove;

23                   (6) Agalinis neoscotica, commonly known as Nova Scotia  
24                   false-foxglove;

25                   (7) Agrostis mertensii, commonly known as boreal  
26                   bentgrass;

27                   (8) Aletris farinosa, commonly known as unicorn root;

28                   (9) Allium canadense, commonly known as wild garlic;

29                   (10) Allium tricoccum, commonly known as wild leek;

30                   (11) Amelanchier nantucketensis, commonly known as  
31                   Nantucket shadbush;

32                   (12) Amelanchier sanguinea var. gaspensis, commonly  
33                   known as Gaspé shadbush;

34                   (13) Amerorchis rotundifolia, commonly known as small  
35                   round-leaved orchis;

36                   (14) Anemone multifida, commonly known as cut-leaved  
37                   anemone;

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- 2                   (15) Arabis laevigata, commonly known as smooth  
                  rockcress;
- 4                   (16) Arabis missouriensis, commonly known as Missouri  
                  rockcress;
- 6                   (17) Arctostaphylos alpina, commonly known as alpine  
8                   bearberry;
- 10                  (18) Aristida basiramea, commonly known as branching  
12                  needle-grass;
- 14                  (19) Armoracia lacustris, commonly known as lake-cress;
- 16                  (20) Arnica lanceolata, commonly known as hairy arnica;
- 18                  (21) Artemisia campestris ssp. borealis, commonly  
                  known as Canadian wormwood;
- 20                  (22) Asarum canadense, commonly known as wild ginger;
- 22                  (23) Asclepias tuberosa, commonly known as butterfly  
24                  weed;
- 26                  (24) Asplenium platyneuron, commonly known as ebony  
                  spleenwort;
- 28                  (25) Asplenium rhizophyllum, commonly known as walking  
30                  fern;
- 32                  (26) Asplenium trichomanes-ramosum, commonly known as  
                  green spleenwort;
- 34                  (27) Aster divaricatus, commonly known as white wood  
36                  aster;
- 38                  (28) Aster patens, commonly known as late purple aster;
- 40                  (29) Aster schreberi, commonly known as Schreber's  
                  aster;
- 42                  (30) Astragalus alpinus, commonly known as alpine  
44                  milk-vetch;
- 46                  (31) Astragalus eucosmus, commonly known as elegant  
                  milk-vetch;
- 48                  (32) Astragalus robbinsii, commonly known as Robbin's  
50                  milk-vetch;

- 2           (33) Aureolaria pedicularia, commonly known as  
          fern-leaved false foxglove;
- 4           (34) Baptisia tinctoria, commonly known as wild indigo;
- 6           (35) Barbarea orthoceras, commonly known as American  
          winter-cress;
- 8           (36) Bartonian paniculata, commonly known as screwstem;
- 10           (37) Betula glandulosa, commonly known as tundra dwarf  
12           birch;
- 14           (38) Betula x minor, commonly known as dwarf white  
          birch;
- 16           (39) Betula pumila, commonly known as swamp birch;
- 18           (40) Bidens eatonii, commonly known as Eaton's  
20           bur-marigold;
- 22           (41) Bidens hyperborea, commonly known as estuary  
          bur-marigold;
- 24           (42) Bolboschoenus x novae-angliae, commonly known as  
26           marsh bulrush;
- 28           (43) Botrychium lunaria, commonly known as moonwort;
- 30           (44) Bromus kalmii, commonly known as wild chess;
- 32           (45) Bromus pubescens, commonly known as hairy wood  
          brome-grass;
- 34           (46) Calamagrostis cinnoides, commonly known as small  
36           reed-grass;
- 38           (47) Calamagrostis pickeringii, commonly known as  
          pickering's reed bent-grass;
- 40           (48) Calamagrostis stricta ssp. inexpansa, commonly  
42           known as New England northern reed grass;
- 44           (49) Calamagrostis stricta ssp. stricta, commonly  
          known as neglected reed-grass;
- 46           (50) Calystegia spithamea, commonly known as upright  
48           bindweed;

- 2           (51) Cardamine bellidifolia, commonly known as alpine  
          bitter-cress;
- 4           (52) Cardamine concatenata, commonly known as  
          cut-leaved toothwort;
- 6           (53) Cardamine longii, commonly known as long's  
8           bitter-cress;
- 10          (54) Cardamine x maxima, commonly known as large  
          toothwort;
- 12          (55) Carex adusta, commonly known as swarthy sedge;
- 14          (56) Carex alopecoidea, commonly known as foxtail  
16          sedge;
- 18          (57) Carex atherodes, commonly known as awned sedge;
- 20          (58) Carex atratifomis, commonly known as Black sedge;
- 22          (59) Carex backii, commonly known as Back's sedge;
- 24          (60) Carex baileyi, commonly known as Bailey's sedge;
- 26          (61) Carex bicknellii, commonly known as Bicknell's  
          sedge;
- 28          (62) Carex bigelowii, commonly known as Bigelow's  
30          sedge;
- 32          (63) Carex bushii, commonly known as Bush's sedge;
- 34          (64) Carex capillaris, commonly known as capillary  
          sedge;
- 36          (65) Carex crawei, commonly known as Crawe's sedge;
- 38          (66) Carex eburnea, commonly known as ebony sedge;
- 40          (67) Carex garberi, commonly known as Garber's sedge;
- 42          (68) Carex grisea, commonly known as narrowleaf sedge;
- 44          (69) Carex gynocrates, commonly known as northern bog  
46          sedge;
- 48          (70) Carex laevivaginata, commonly known as  
50          smooth-sheathed sedge;

- 2           (71) Carex laxiculmis, commonly known as spreading  
          sedge;
- 4           (72) Carex livida, commonly known as livid sedge;
- 6           (73) Carex macloviana, commonly known as Falkland  
          Island sedge;
- 8           (74) Carex muehlenbergii, commonly known as Muhlenberg  
10          sedge;
- 12          (75) Carex norvegica, commonly known as intermediate  
14          sedge;
- 16          (76) Carex oronensis, commonly known as Orono sedge;
- 18          (77) Carex polymorpha, commonly known as variable  
          sedge;
- 20          (78) Carex prairea, commonly known as prairie sedge;
- 22          (79) Carex praticola, commonly known as northern  
24          meadow sedge;
- 26          (80) Carex rariflora, commonly known as loose-flowered  
          sedge;
- 28          (81) Carex recta, commonly known as salt-marsh sedge;
- 30          (82) Carex saxatilis, commonly known as russett sedge;
- 32          (83) Carex scirpoidea, commonly known as bulrush sedge;
- 34          (84) Carex siccata, commonly known as dry land sedge;
- 36          (85) Carex silicea, commonly known as sea-beach sedge;
- 38          (86) Carex sparganioides, commonly known as bur-reed  
40          sedge;
- 42          (87) Carex sprengelii, commonly known as long-beaked  
          sedge;
- 44          (88) Carex x stenolepis, commonly known as Maine sedge;
- 46          (89) Carex sterilis, commonly known as dioecious sedge;
- 48          (90) Carex tenuiflora, commonly known as  
50          sparse-flowered sedge;



- 2           (91) Carex x trichina, commonly known as hair-like  
          sedge;
- 4           (92) Carex typhina, commonly known as cat-tail sedge;
- 6           (93) Carex vaginata, commonly known as sheathed sedge;
- 8           (94) Carex vestita, commonly known as clothed sedge;
- 10          (95) Carex wiegandii, commonly known as Wiegand sedge;
- 12          (96) Carya cordiformis, commonly known as bitternut  
          hickory;
- 14          (97) Castanea dentata, commonly known as American  
16          chestnut;
- 18          (98) Castilleja coccinea, commonly known as Indian  
20          paintbrush;
- 22          (99) Castilleja septentrionalis, commonly known as  
          northern painted cup;
- 24          (100) Ceanothus americanus, commonly known as New  
          Jersey tea;
- 26          (101) Cenchrus longispinus, commonly known as  
28          long-spined sandbur;
- 30          (102) Ceratophyllum echinatum, commonly known as  
32          prickly hornwort;
- 34          (103) Chamaecyparis thyoides, commonly known as  
          Atlantic white-cedar;
- 36          (104) Chenopodium berlandieri, commonly known as  
38          Bosc's goosefoot;
- 40          (105) Chenopodium humile, commonly known as  
          coast-blite goosefoot;
- 42          (106) Chenopodium rubrum, commonly known as  
44          coast-blite goosefoot;
- 46          (107) Chimaphila maculata, commonly known as spotted  
          wintergreen;
- 48          (108) Clematis occidentalis, commonly known as purple  
50          clematis;

- 2           (109) Clethra alnifolia, commonly known as sweet  
          pepper-bush;
- 4           (110) Corallorhiza odontorhiza, commonly known as  
          Autumn coral-root;
- 6           (111) Cornus florida, commonly known as flowering  
8           dogwood;
- 10          (112) Crassula aquatica, commonly known as pygmyweed;
- 12          (113) Cryptogramma stelleri, commonly known as slender  
14          cliffbrake;
- 16          (114) Cryptotaenia canadensis, commonly known as wild  
          chervil;
- 18          (115) Cynoglossum virginianum, commonly known as  
20          northern wild comfrey;
- 22          (116) Cyperus aristatus, commonly known as awned sedge;
- 24          (117) Cyperus erythrorhizos, commonly known as  
          red-root flatsedge;
- 26          (118) Cyperus houghtonii, commonly known as Houghton's  
28          umbrella-sedge;
- 30          (119) Cypripedium arietinum, commonly known as  
          ram's-head lady's-slipper;
- 32          (120) Cypripedium reginae, commonly known as showy  
34          lady's-slipper;
- 36          (121) Descurainia incana, commonly known as  
          Richardson's tansy-mustard;
- 38          (122) Diapensia lapponica, commonly known as Lapland  
40          diapensia;
- 42          (123) Dicentra canadensis, commonly known as  
          squirrel-corn;
- 44          (124) Diphasiastrum x sabinifolium, commonly known as  
          ground-fir;
- 46          (125) Diphasiastrum sitchense, commonly known as  
48          Alaskan clubmoss;

2           (126) Draba arabisans, commonly known as rock  
          whitlow-grass;

4           (127) Draba cana, commonly known as lance-leaved draba;

6           (128) Drosera anglica, commonly known as English  
          sundew;

8           (129) Drosera linearis, commonly known as  
10          slender-leaved sundew;

12          (130) Dryopteris filix-mas, commonly known as male  
          fern;

14          (131) Dryopteris fragrans, commonly known as fragrant  
16          cliff wood-fern;

18          (132) Dryopteris goldiana, commonly known as Goldie's  
          wood-fern;

20          (133) Eleocharis engelmannii, commonly known as  
22          Engelmann's spikerush;

24          (134) Eleocharis quinqueflora, commonly known as  
          few-flowered spikerush;

26          (135) Eleocharis rostellata, commonly known as beaked  
28          spikerush;

30          (136) Eleocharis tuberculosa, commonly known as  
          long-tubercled spike-rush;

32          (137) Elymus hystrix, commonly known as bottlebrush  
34          grass;

36          (138) Epilobium anagallidifolium, commonly known as  
          alpine willow-herb;

38          (139) Epilobium hornemanii, commonly known as  
40          Hornemann's willow-herb;

42          (140) Equisetum variegatum, commonly known as  
          variegated horsetail;

44          (141) Eragrostis capillaris, commonly known as tiny  
46          love-grass;

48          (142) Eragrostis hypnoides, commonly known as teal  
          love grass;

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- 2           (143) Erigeron hyssopifolius, commonly known as  
hyssop-leaved fleabane;
- 4           (144) Eriocaulon parkeri, commonly known as Parker's  
pipewort;
- 6           (145) Eupatorium dubium, commonly known as eastern  
8           joe-pye weed;
- 10          (146) Eupatorium fistulosum, commonly known as hollow  
12          joe-pye weed;
- 14          (147) Eupatorium perfoliatum var. colpophilum,  
commonly known as estuary boneset;
- 16          (148) Eupatorium rotundifolium, commonly known as  
18          hairy boneset;
- 20          (149) Euphrasia disjuncta, commonly known as disjunct  
eyebright;
- 22          (150) Euphrasia oakesii, commonly known as Oake's  
24          eyebright;
- 26          (151) Euthamia tenuifolia, commonly known as  
narrow-leaved goldenrod;
- 28          (152) Festuca prolifera, commonly known as Arctic red  
30          fescue;
- 32          (153) Fimbristylis autumnalis, commonly known as dwarf  
bulrush;
- 34          (154) Galearis spectabilis, commonly known as showy  
36          orchis;
- 38          (155) Galium brevipes, commonly known as limestone  
swamp bedstraw;
- 40          (156) Galium kamtschaticum, commonly known as boreal  
42          bedstraw;
- 44          (157) Galium labradoricum, commonly known as bog  
bedstraw;
- 46          (158) Galium obtusum, commonly known as blunt-leaved  
48          bedstraw;
- 50          (159) Gamochaeta purpurea, commonly known as purple  
cudweed;

2           (160) Gentiana rubricaulis, commonly known as  
3           red-stemmed gentian;  
4  
5           (161) Gentianella amarella, commonly known as northern  
6           gentian;  
7  
8           (162) Gentianella quinquefolia, commonly known as  
9           stiff gentian;  
10  
11           (163) Geocaulon lividum, commonly known as northern  
12           commandra;  
13  
14           (164) Glyceria acutiflora, commonly known as  
15           sharp-scaled manna-grass;  
16  
17           (165) Goodyera oblongifolia, commonly known as giant  
18           rattlesnake-plantain;  
19  
20           (166) Hackelia deflexa, commonly known as northern  
21           stickseed;  
22  
23           (167) Harrimanella hypnoides, commonly known as moss  
24           bell-heather;  
25  
26           (168) Hedysarum alpinum, commonly known as alpine  
27           sweet-broom;  
28  
29           (169) Hepatica nobilis var. acuta, commonly known as  
30           sharp-lobed hepatica;  
31  
32           (170) Hieracium gronovii, commonly known as hairy  
33           hawkweed;  
34  
35           (171) Hieracium robinsonii, commonly known as  
36           Robinson's hawkweed;  
37  
38           (172) Hieracium venosum, commonly known as rattlesnake  
39           hawkweed;  
40  
41           (173) Hierochloa alpina, commonly known as alpine  
42           sweet-grass;  
43  
44           (174) Hippuris vulgaris, commonly known as common  
45           mare's-tail;  
46  
47           (175) Hottonia inflata, commonly known as featherfoil;  
48  
49           (176) Houstonia longifolia, commonly known as  
50           long-leaved bluet;

2           (177) Huperzia appalachiana, commonly known as  
3           Appalachian fir-clubmoss;  
4  
5           (178) Huperzia selago, commonly known as alpine  
6           clubmoss;  
7  
8           (179) Hypericum ascyron, commonly known as great St.  
9           John's-wort;  
10  
11           (180) Hypoxis hirsuta, commonly known as yellow star  
12           grass;  
13  
14           (181) Ilex glabra, commonly known as ink-berry;  
15  
16           (182) Ilex laevigata, commonly known as smooth  
17           winterberry holly;  
18  
19           (183) Impatiens pallida, commonly known as pale  
20           jewel-weed;  
21  
22           (184) Iris prismatica, commonly known as slender blue  
23           flag;  
24  
25           (185) Isoetes acadiensis, commonly known as Acadian  
26           quillwort;  
27  
28           (186) Isoetes prototypus, commonly known as prototype  
29           quillwort;  
30  
31           (187) Isoetes riparia, commonly known as shore  
32           quillwort;  
33  
34           (188) Isotria medeoloides, commonly known as small  
35           whorled pogonia;  
36  
37           (189) Isotria verticillata, commonly known as large  
38           whorled pogonia;  
39  
40           (190) Iva frutescens, commonly known as marsh-elder;  
41  
42           (191) Juncus alpinoarticulatus, commonly known as  
43           alpine rush;  
44  
45           (192) Juncus dudleyi, commonly known as Dudley's rush;  
46  
47           (193) Juncus secundus, commonly known as secund rush;  
48  
49           (194) Juncus stygius, commonly known as moor rush;  
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- 2           (195) Juncus subtilis, commonly known as slender rush;
- 4           (196) Juncus torreyi, commonly known as Torrey's rush;
- 6           (197) Juncus vaseyi, commonly known as Vasey rush;
- 8           (198) Kalmia latifolia, commonly known as  
mountain-laurel;
- 10          (199) Krigia virginica, commonly known as dwarf  
dandelion;
- 12          (200) Lechea tenuifolia, commonly known as slender  
14 pinweed;
- 16          (201) Lespedeza hirta, commonly known as hairy  
18 bush-clover;
- 20          (202) Lespedeza x nuttallii, commonly known as  
Nuttall's bush-clover;
- 22          (203) Liatris scariosa, commonly known as northern  
24 blazing star;
- 26          (204) Lilaeopsis chinensis, commonly known as  
lilaeopsis;
- 28          (205) Limosella australis, commonly known as mudwort;
- 30          (206) Lindera benzoin, commonly known as spicebush;
- 32          (207) Lindernia dubia var. anagallidea, commonly known  
34 as slender false pimpernel;
- 36          (208) Lipocarpha micrantha, commonly known as dwarf  
bulrush;
- 38          (209) Listera auriculata, commonly known as auricled  
40 twayblade;
- 42          (210) Littorella uniflora, commonly known as American  
shore-grass;
- 44          (211) Lobelia siphilitica, commonly known as great  
46 blue lobelia;
- 48          (212) Loiseleuria procumbens, commonly known as alpine  
azalea;

2           (213) Lomatogonium rotatum, commonly known as marsh  
          felwort;

4           (214) Lonicera dioica, commonly known as mountain  
          honeysuckle;

6           (215) Lonicera oblongifolia, commonly known as swamp  
8           fly-honeysuckle;

10          (216) Lonicera sempervirens, commonly known as trumpet  
          honeysuckle;

12          (217) Lupinus perennis, commonly known as wild lupine;

14          (218) Luzula confusa, commonly known as northern  
16          wood-rush;

18          (219) Luzula spicata, commonly known as spiked  
          wood-rush;

20          (220) Lycopodiella appressa, commonly known as  
22          Southern bog clubmoss;

24          (221) Malaxis monophyllos, commonly known as white  
          adder's-mouth;

26          (222) Mikania scandens, commonly known as climbing  
28          hempweed;

30          (223) Mimulus ringens var. colpophilus, commonly known  
          as estuary monkeyflower;

32          (224) Minuartia glabra, commonly known as smooth  
34          sandwort;

36          (225) Minuartia groenlandica, commonly known as  
          mountain sandwort;

38          (226) Minuartia rubella, commonly known as Arctic  
40          sandwort;

42          (227) Montia fontana, commonly known as blinks;

44          (228) Muhlenbergia richardsonis, commonly known as  
          soft-leaf muhly;

46          (229) Muhlenbergia sobolifera, commonly known as cliff  
48          muhly;



- 2           (230) Najas gracillima, commonly known as thread-like  
          naiad;
- 4           (231) Najas guadalupensis, commonly known as Southern  
          naiad;
- 6           (232) Nuphar advena, commonly known as yellow  
8           pond-lily;
- 10          (233) Nymphaea leibergii, commonly known as pygmy  
12          water-lily;
- 14          (234) Omalotheca supina, commonly known as alpine  
          cudweed;
- 16          (235) Omalotheca sylvatica, commonly known as woodland  
18          cudweed;
- 20          (236) Ophioglossum pusillum, commonly known as adder's  
          tongue fern;
- 22          (237) Oryzopsis canadensis, commonly known as Canada  
24          mountain-ricegrass;
- 26          (238) Osmorhiza berteroi, commonly known as mountain  
          sweet-cicely;
- 28          (239) Oxytropis campestris, commonly known as St. John  
30          oxytrope;
- 32          (240) Panax quinquefolius, commonly known as American  
          ginseng;
- 34          (241) Parietaria pensylvanica, commonly known as  
36          Pennsylvania pellitory;
- 38          (242) Parnassia glauca, commonly known as  
          grass-of-parnassus;
- 40          (243) Paronychia argyrocoma, commonly known as  
42          silverling;
- 44          (244) Pedicularis furbishiae, commonly known as  
          Furbish's lousewort;
- 46          (245) Persicaria vivipara, commonly known as alpine  
48          bistort;
- 50          (246) Phegopteris hexagonoptera, commonly known as  
          broad beech fern;

2           (247) Phleum alpinum, commonly known as mountain  
3           timothy;  
4  
5           (248) Phryma leptostachya, commonly known as lopseed;  
6  
7           (249) Phyllodoce caerulea, commonly known as mountain  
8           heath;  
9  
10          (250) Physalis pruinosa, commonly known as hairy  
11          ground-cherry;  
12  
13          (251) Pinguicula vulgaris, commonly known as common  
14          butterwort;  
15  
16          (252) Platanthera flava, commonly known as pale green  
17          orchis;  
18  
19          (253) Platanthera leucophaea, commonly known as  
20          prairie white-fringed orchid;  
21  
22          (254) Platanus occidentalis, commonly known as  
23          sycamore;  
24  
25          (255) Poa fernaldiana, commonly known as wavy  
26          bluegrass;  
27  
28          (256) Poa glauca, commonly known as white bluegrass;  
29  
30          (257) Podostemum ceratophyllum, commonly known as  
31          threadfoot;  
32  
33          (258) Polemonium vanbruntiae, commonly known as  
34          Jacob's ladder;  
35  
36          (259) Polygala cruciata, commonly known as marsh  
37          milkwort;  
38  
39          (260) Polygala senega, commonly known as Seneca  
40          snakeroot;  
41  
42          (261) Polygonum douglasii, commonly known as Douglas'  
43          knotweed;  
44  
45          (262) Polygonum tenue, commonly known as slender  
46          knotweed;  
47  
48          (263) Potamogeton confervoides, commonly known as  
49          alga-like pondweed;  
50

- 2           (264) Potamogeton friesii, commonly known as Fries'  
          pondweed;
- 4           (265) Potamogeton pulcher, commonly known as spotted  
          pondweed;
- 6           (266) Potamogeton strictifolius, commonly known as  
8           straight-leaved pondweed;
- 10          (267) Potamogeton vaseyi, commonly known as Vasey's  
12          pondweed;
- 14          (268) Prenanthes boottii, commonly known as Boott's  
          rattlesnake root;
- 16          (269) Prenanthes x mainensis, commonly known as Maine  
18          rattlesnake root;
- 20          (270) Prenanthes nana, commonly known as dwarf  
          rattlesnake root;
- 22          (271) Prenanthes racemosa, commonly known as glaucous  
24          rattlesnake root;
- 26          (272) Primula laurentiana, commonly known as  
          bird's-eye primrose;
- 28          (273) Primula mistassinica, commonly known as  
30          Mistassini primrose;
- 32          (274) Proserpinaca pectinata, commonly known as  
          comb-leaved mermaid-weed;
- 34          (275) Prunus maritima, commonly known as beach plum;
- 36          (276) Pseudognaphalium helleri, commonly known as  
38          small rabbit tobacco;
- 40          (277) Pycnanthemum muticum, commonly known as blunt  
          mountain-mint;
- 42          (278) Pyrola asarifolia, commonly known as pink  
44          wintergreen;
- 46          (279) Pyrola minor, commonly known as lesser  
          wintergreen;
- 48          (280) Quercus bicolor, commonly known as swamp white  
50          oak;

2                   (281) Quercus coccinea, commonly known as scarlet oak;

4                   (282) Quercus montana, commonly known as chestnut oak;

6                   (283) Ranunculus ambigens, commonly known as  
water-plantain spearwort;

8                   (284) Ranunculus fascicularis, commonly known as early  
crowfoot;

10                   (285) Ranunculus gmelinii, commonly known as small  
yellow water crowfoot;

12                   (286) Ranunculus lapponicus, commonly known as Lapland  
buttercup;

14                   (287) Rhododendron lapponicum, commonly known as  
Lapland rosebay;

16                   (288) Rhododendron maximum, commonly known as great  
rhododendron;

18                   (289) Rhododendron viscosum, commonly known as clammy  
azalea;

20                   (290) Rhynchospora capillacea, commonly known as  
horned beak-rush;

22                   (291) Rhynchospora macrostachya, commonly known as  
tall beak-rush;

24                   (292) Rosa blanda var. glabra, commonly known as  
northern rose;

26                   (293) Rubus arenicola, commonly known as sand-dwelling  
dewberry;

28                   (294) Sagittaria calycina, commonly known as spongy  
arrow-head;

30                   (295) Sagittaria rigida, commonly known as stiff  
arrow-head;

32                   (296) Salicornia bigelovii, commonly known as dwarf  
glasswort;

34                   (297) Salicornia maritima, commonly known as Samphire

36                   (298) Salix arctophila, commonly known as Arctic  
willow;

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2           (299) Salix argyrocarpa, commonly known as silverleaf  
3           willow;  
4  
5           (300) Salix candida, commonly known as hoary willow;  
6  
7           (301) Salix herbacea, commonly known as dwarf willow;  
8  
9           (302) Salix interior, commonly known as sandbar willow;  
10  
11           (303) Salix myricoides, commonly known as blue-leaf  
12           willow;  
13  
14           (304) Salix planifolia, commonly known as tea-leaved  
15           willow;  
16  
17           (305) Salix uva-ursi, commonly known as bearberry  
18           willow;  
19  
20           (306) Samolus valerandi, commonly known as water  
21           pimpernel;  
22  
23           (307) Sanguisorba canadensis, commonly known as Canada  
24           burnet;  
25  
26           (308) Sassafras albidum, commonly known as sassafras;  
27  
28           (309) Saxifraga foliolosa, commonly known as star  
29           saxifrage;  
30  
31           (310) Saxifraga paniculata, commonly known as livelong  
32           saxifrage;  
33  
34           (311) Saxifraga pensylvanica, commonly known as swamp  
35           saxifrage;  
36  
37           (312) Schoenoplectus x steinmetzii, commonly known as  
38           Steinmetz's bulrush;  
39  
40           (313) Scirpus longii, commonly known as Long's bulrush;  
41  
42           (314) Scirpus pendulus, commonly known as pendulous  
43           bulrush;  
44  
45           (315) Scrophularia marilandica, commonly known as  
46           carpenter's square;  
47  
48           (316) Scutellaria parvula, commonly known as Leonard's  
49           skullcap;  
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- 2           (317) Selaginella apoda, commonly known as creeping  
          spike-moss;
- 4           (318) Selaginella selaginoides, commonly known as low  
          spike-moss;
- 6           (319) Sericocarpus asteroides, commonly known as  
8           white-topped aster;
- 10          (320) Shepherdia canadensis, commonly known as Canada  
          buffaloberry;
- 12          (321) Silene acaulis, commonly known as moss campion;
- 14          (322) Sisyrinchium mucronatum, commonly known as  
16          Michaux's blue-eyed-grass;
- 18          (323) Solidago altissima, commonly known as tall  
20          goldenrod;
- 22          (324) Solidago x calcicola, commonly known as rock  
          goldenrod;
- 24          (325) Solidago multiradiata, commonly known as  
26          Cutler's goldenrod;
- 28          (326) Solidago ulmifolia, commonly known as elm-leaved  
          goldenrod;
- 30          (327) Sorghastrum nutans, commonly known as Indian  
32          grass;
- 34          (328) Sphenopholis obtusata, commonly known as prairie  
          wedge-grass;
- 36          (329) Spiraea septentrionalis, commonly known as  
38          northern meadow-sweet;
- 40          (330) Spiranthes lacera var. gracilis, commonly known  
          as southern slender ladies' tresses;
- 42          (331) Spiranthes lucida, commonly known as shining  
44          ladies'-tresses;
- 46          (332) Sporobolus asper, commonly known as longleaf  
          dropseed;
- 48          (333) Sporobolus neglectus, commonly known as small  
50          dropseed;

- 2           (334) Stuckenia filiformis var. alpinus, commonly  
          known as northern slender pondweed;
- 4           (335) Stuckenia filiformis var. occidentalis, commonly  
          known as slender pondweed;
- 6           (336) Suaeda calceoliformis, commonly known as  
8           American sea-blite;
- 10          (337) Suaeda maritima ssp. richii, commonly known as  
          Rich's sea-blite;
- 12          (338) Subularia aquatica, commonly known as water  
14          awlwort;
- 16          (339) Symphyotrichum anticostensis, commonly known as  
          anticosti aster;
- 18          (340) Symphyotrichum subulatum, commonly known as  
20          small salt-marsh aster;
- 22          (341) Tanacetum bipinnatum, commonly known as Huron  
24          tansy;
- 26          (342) Thalictrum thalictroides, commonly known as  
          rue-anemone;
- 28          (343) Thalictrum venulosum, commonly known as boundary  
30          meadow-rue;
- 32          (344) Trichophorum clintonii, commonly known as  
          Clinton's bulrush;
- 34          (345) Triglochin gaspense, commonly known as Gaspe  
36          arrow-grass;
- 38          (346) Trillium grandiflorum, commonly known as large  
          white-trillium;
- 40          (347) Trimorpha acris, commonly known as bitter  
42          fleabane;
- 44          (348) Triosteum aurantiacum, commonly known as wild  
          coffee;
- 46          (349) Triphora trianthophora, commonly known as  
          nodding pogonia;
- 48          (350) Trisetum melicoides, commonly known as purple  
50          false-oats;

2           (351) Ulmus rubra, commonly known as slippery elm;  
4           (352) Utricularia resupinata, commonly known as small  
            purple bladderwort;  
6           (353) Vaccinium boreale, commonly known as alpine  
8           blueberry;  
10          (354) Vahlodea atropurpurea, commonly known as  
            mountain hairgrass;  
12          (355) Valeriana uliginosa, commonly known as marsh  
14          valerian;  
16          (356) Verbena urticifolia, commonly known as white  
            vervain;  
18          (357) Veronica wormskjoldii, commonly known as alpine  
20          speedwell;  
22          (358) Viburnum edule, commonly known as squashberry;  
24          (359) Viola brittoniana, commonly known as coast  
            violet;  
26          (360) Viola canadensis, commonly known as tall white  
28          violet;  
30          (361) Viola novae-angliae, commonly known as New  
            England violet;  
32          (362) Viola palmata, commonly known as palmate-leaved  
34          violet;  
36          (363) Viola palustris, commonly known as alpine marsh  
            violet;  
38          (364) Vitis aestivalis, commonly known as summer grape;  
40          (365) Waldsteinia fragarioides, commonly known as  
42          barren-strawberry;  
44          (366) Wolffia columbiana, commonly known as Columbia  
            water-meal  
46          (367) Woodsia alpina, commonly known as northern  
48          woodsia;



2                   (368) Woodsia glabella, commonly known as smooth  
3                   woodsia;

4                   (369) Woodsia obtusa, commonly known as blunt-lobed  
5                   woodsia;

6                   (370) Woodwardia areolata, commonly known as netted  
7                   chain-fern;

10                  (371) Xyris smalliana, commonly known as yellow-eyed  
11                  grass;

12                  (372) Zannichellia palustris, commonly known as horned  
13                  pondweed; and

16                  (373) Zosterella dubia, commonly known as water  
17                  stargrass.

18                   D. Prior to recommending an addition, deletion or other  
19                   change to the endangered and threatened species listed in  
20                   subsection 3-A, the commissioner shall provide for public  
21                   notice and public hearings on that proposed recommendation  
22                   in accordance with the provisions of Title 5, chapter 375,  
23                   subchapter 2.

26                   E. The Legislature may not amend the list of endangered or  
27                   threatened species in subsection 3-A except upon the  
28                   recommendation of the commissioner.

30                   **Sec. 2. 12 MRSA §544-B, sub-§5 is enacted to read:**

32                   5. Exotic invasive aquatic or terrestrial plants. The  
33                   commissioner shall establish and maintain a register of exotic  
34                   invasive aquatic and terrestrial plants that are commercially  
35                   available in the State. As used in this section, "exotic  
36                   invasive aquatic or terrestrial plant" means an aquatic or  
37                   terrestrial nonindigenous species that threatens or could  
38                   threaten the diversity or abundance of native species, the  
39                   ecological stability of infested waters or commercial,  
40                   agricultural, aquacultural or recreational activity dependent on  
41                   such waters.

42                   **Sec. 3. 12 MRSA §7806, as enacted by PL 2001, c. 434, Pt. A,**  
43                   **§5, is amended to read:**

46                   **§7806. Lake and River Protection Fund**

48                   The Lake and River Protection Fund, referred to in this  
49                   section as "the fund," is created within the department as a  
50                   nonlapsing fund. The fund must be administered by the

commissioner. The fund is funded from fees collected for lake  
and river protection stickers issued under section 7794-B and  
from other funds accepted for those purposes by the commissioner  
or allocated or appropriated by the Legislature. Money in the  
fund may be used for enforcing laws pertaining to invasive  
aquatic plants, inspecting watercraft for invasive aquatic plant  
materials, educational and informational efforts targeted at  
invasive aquatic plant prevention, eradication and management  
activities and, the production and distribution of lake and river  
protection stickers required under section 7794-B and for  
educational efforts regarding the potential dangers of exotic  
invasive aquatic or terrestrial plants.

## SUMMARY

This bill puts the official threatened and endangered plant  
list in statute and provides that the Legislature, upon  
recommendation of the Commissioner of Conservation, shall  
designate a species as a state endangered or state threatened  
species. The bill also requires the commissioner to establish  
and maintain a register of exotic invasive aquatic and  
terrestrial plants that are commercially available in the State.  
Finally, the bill proposes to use funds from the collection of  
fees for lake and river protection stickers to educate the public  
regarding the dangers of exotic invasive aquatic and terrestrial  
plants.