

# MAINE STATE LEGISLATURE

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S.M.C.  
H. of S.

L.D. 1548

Date: 3/16/10

(Filing No. H-724)

**INLAND FISHERIES AND WILDLIFE**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
124TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1090, L.D. 1548, Bill, "An Act To Prevent the Spread of Invasive Plants and Protect Maine's Lakes"

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

**'Resolve, To Prevent the Spread of Invasive Plants and Protect Maine's Lakes'**

Amend the bill by striking out everything after the title and before the summary and inserting the following:

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** it is essential that the efforts to prevent the spread of invasive plants in Maine's lakes proposed in this resolve be initiated before the start of the spring boating season; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

**Sec. 1. Review of lakes within the State infested with aquatic invasive plant species. Resolved:** That the Department of Environmental Protection and the Department of Inland Fisheries and Wildlife shall collaborate to review all lakes individually in the State with known infestations of aquatic invasive plant species to determine:

1. The type, extent and location of each infestation and its proximity to boat access points;
2. The general uses of the body of water;
3. The extent of involvement by local courtesy boat inspectors and lake associations regarding the prevention and control of aquatic invasive plant species; and
4. The use of existing surface water management strategies.

**COMMITTEE AMENDMENT**

10/23

1 The departments shall collaborate with lake associations and user groups to identify  
2 private boat ramps on lakes infested with aquatic invasive plant species. For purposes of  
3 this section, "boat access point" includes but is not limited to public boat ramps, carry-in  
4 sites, lake access provided by sporting camps and private boat ramps and access areas;  
5 and be it further

6 **Sec. 2. Surface water extraction information and review. Resolved:** That  
7 the Department of Environmental Protection shall collect data on the types and extent of  
8 surface water extraction and review surface water extraction activities to determine in  
9 each case if an informational letter to the extractor regarding the spread of aquatic  
10 invasive plant species is necessary to prevent the introduction or spread of an aquatic  
11 invasive plant species through the surface water extraction process; and be it further

12 **Sec. 3. Educational and outreach efforts. Resolved:** That the Department of  
13 Environmental Protection and the Department of Inland Fisheries and Wildlife shall work  
14 cooperatively to increase the effectiveness of educational and outreach efforts regarding  
15 aquatic invasive plant species through methods that may include but are not limited to:

- 16 1. Department of Inland Fisheries and Wildlife radio broadcasts;
- 17 2. Placing signs about aquatic invasive plant species on Interstate 95;
- 18 3. Prominently publishing information about aquatic invasive plant species on the  
19 departments' publicly accessible websites;
- 20 4. E-mailing aquatic invasive plant species alerts to e-mail addresses contained in  
21 databases of the Department of Inland Fisheries and Wildlife; and
- 22 5. Improving communication with sporting and tourist camps and professional  
23 guides; and be it further

24 **Sec. 4. Working group. Resolved:** That the Department of Environmental  
25 Protection and the Department of Inland Fisheries and Wildlife shall facilitate the  
26 continued work of an aquatic invasive plant species working group that includes the  
27 Maine Congress of Lake Associations, a statewide sporting group, bass fishing clubs and  
28 any other person or entity that the working group determines is necessary to conduct its  
29 work. The working group shall continue its work exploring initiatives related to aquatic  
30 invasive plant species and collaborate with the Interagency Task Force on Invasive  
31 Aquatic Plants and Nuisance Species established pursuant to the Maine Revised Statutes,  
32 Title 5, section 12004-D. The working group shall assign a chair, who is in charge of  
33 convening the meetings and keeping notes of discussions. The working group shall hold  
34 meetings before January 1, 2011 and may continue its work after that date as needed; and  
35 be it further

36 **Sec. 5. Report. Resolved:** That the Department of Environmental Protection and  
37 the Department of Inland Fisheries and Wildlife shall report to the joint standing  
38 committee of the Legislature having jurisdiction over inland fisheries and wildlife  
39 matters, the joint standing committee of the Legislature having jurisdiction over natural  
40 resources matters and the Interagency Task Force on Invasive Aquatic Plants and  
41 Nuisance Species, established pursuant to the Maine Revised Statutes, Title 5, section  
42 12004-D, by January 2, 2011 regarding matters contained in this resolve and on any new  
43 aquatic invasive plant species infestations identified. The joint standing committees may

1 each submit a bill to the First Regular Session of the 125th Legislature pertaining to  
2 matters contained in the report; and be it further

3 **Sec. 6. Funding. Resolved:** That the Department of Environmental Protection  
4 and the Department of Inland Fisheries and Wildlife shall meet the requirements of this  
5 resolve within existing resources but may accept outside funding to supplement those  
6 resources.

7 **Emergency clause.** In view of the emergency cited in the preamble, this  
8 legislation takes effect when approved.'

9 **SUMMARY**

10 This amendment replaces the bill with a resolve that:

11 1. Directs the Department of Environmental Protection and the Department of Inland  
12 Fisheries and Wildlife to review all lakes in the State with known infestations of aquatic  
13 invasive plant species to determine the type, extent and location of each infestation and  
14 its proximity to boat access points and to gather other data about general use of those  
15 access points and the extent of local involvement. It also directs the departments to  
16 collaborate with lake associations and user groups to identify private boat ramps on lakes  
17 infested with aquatic invasive plant species;

18 2. Directs the Department of Environmental Protection to collect information on the  
19 types and extent of surface water extraction and review surface water extraction activities  
20 to determine in each case if an informational letter to the extractor regarding the spread of  
21 aquatic invasive plant species is necessary to prevent the introduction or spread of an  
22 aquatic invasive plant species through the surface water extraction process;

23 3. Directs the Department of Environmental Protection and the Department of Inland  
24 Fisheries and Wildlife to work cooperatively to increase the effectiveness of educational  
25 and outreach efforts;

26 4. Directs the Department of Environmental Protection and the Department of Inland  
27 Fisheries and Wildlife to report to the joint standing committee of the Legislature having  
28 jurisdiction over natural resources matters and the joint standing committee of the  
29 Legislature having jurisdiction over inland fisheries and wildlife matters and the  
30 Interagency Task Force on Invasive Aquatic Plants and Nuisance Species by January 2,  
31 2011 on matters contained in this resolve and to report on any new aquatic invasive plant  
32 species infestations identified;

33 5. Directs the Department of Environmental Protection and the Department of Inland  
34 Fisheries and Wildlife to facilitate the continued work of an aquatic invasive plant species  
35 working group. The working group shall continue its work exploring initiatives related to  
36 aquatic invasive plant species and collaborate with the Interagency Task Force on  
37 Invasive Aquatic Plants and Nuisance Species;

38 6. Gives the joint standing committee of the Legislature having jurisdiction over  
39 natural resources matters and the joint standing committee of the Legislature having  
40 jurisdiction over inland fisheries and wildlife matters authority to each submit a bill to the  
41 First Regular Session of the 125th Legislature pertaining to matters contained in the  
42 report; and

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7. Provides that the Department of Environmental Protection and the Department of Inland Fisheries and Wildlife must meet the requirements in the resolve within existing resources but authorizes those departments to accept outside funding for purposes of the resolve.

**FISCAL NOTE REQUIRED**

(See attached)



# 124th MAINE LEGISLATURE

LD 1548

LR 2111(02)

## An Act To Prevent the Spread of Invasive Plants and Protect Maine's Lakes

Fiscal Note for Bill as Amended by Committee Amendment "A"  
Committee: Inland Fisheries and Wildlife  
Fiscal Note Required: Yes

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### Fiscal Note

Minor cost increase - Other Special Revenue Funds

#### Fiscal Detail and Notes

Any additional costs to the Department of Environmental Protection and the Department of Inland Fisheries and Wildlife associated with problem study, data collection and analysis, public outreach, working group participation, and reporting back to the Joint Standing Committee on known infestations of aquatic plant species in Maine lakes can be absorbed within existing budgeted resources.