

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 879

H.P. 653

House of Representatives, February 19, 2019

An Act To Decrease the Risk of the Spread of Invasive Aquatic Plants

Reference to the Committee on Inland Fisheries and Wildlife suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative TUCKER of Brunswick.
Cosponsored by Senator GRATWICK of Penobscot and
Representatives: BABBIDGE of Kennebunk, DODGE of Belfast, DOORE of Augusta,
DOUDERA of Camden, HEPLER of Woolwich, MATLACK of St. George, NADEAU of
Winslow, O'NEIL of Saco.

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

2 **Sec. 1. 12 MRSA §12505-A** is enacted to read:

3 **§12505-A. Invasive aquatic plant risk assessment**

4 **1. Development of risk assessment tool.** The commissioner, in consultation with
5 the Department of Environmental Protection, shall develop a risk assessment tool to
6 evaluate the economic and environmental risks associated with the spread of invasive
7 aquatic plants when making decisions regarding public access to public waters, including
8 the issuance of permits for fishing derbies and bass tournaments. For purposes of this
9 section, "invasive aquatic plant" has the same meaning as in section 13001, subsection
10 14.

11 **2. Evaluating risks before issuing permits.** Before issuing a permit pursuant to
12 section 12504, 12504-A or 12505, the commissioner shall conduct a risk assessment
13 using the tool developed in accordance with subsection 1 if the fishing derby or bass
14 tournament is proposed on public waters with documented invasive aquatic plants.

15 **Sec. 2. 12 MRSA §12708, sub-§2,** as enacted by PL 2003, c. 414, Pt. A, §2 and
16 affected by c. 614, §9, is amended to read:

17 **2. The Public Boat Launch Access Program.** The Public Boat Launch Access
18 Program, referred to in this subsection as the "program," is established in the department.
19 The purpose of the program is to provide anglers, boaters and other persons fair and
20 equitable public access to public waters that offer recreational fishing opportunities by
21 acquiring lands adjacent to those waters and providing appropriate opportunities to access
22 those waters. The commissioner may establish program priorities based on fishery
23 management or other resource management objectives and may use for these purposes
24 any funds received through federal programs intended to aid in the restoration of sport
25 fishing and other revenues available for providing access to public waters. The
26 commissioner shall apply the risk assessment tool, developed in accordance with section
27 12505-A, subsection 1, to evaluate the economic and environmental risks associated with
28 the spread of invasive aquatic plants when determining whether to permit public access to
29 public waters with documented invasive aquatic plants. For purposes of this subsection,
30 "invasive aquatic plant" has the same meaning as in section 13001, subsection 14.

31 **SUMMARY**

32 This bill requires the Commissioner of Inland Fisheries and Wildlife, in consultation
33 with the Department of Environmental Protection, to develop a risk assessment tool to
34 evaluate the economic and environmental risks associated with public access, including
35 the issuance of permits for fishing derbies and tournaments, on public waters with
36 documented invasive aquatic plants. It requires the commissioner to utilize the risk
37 assessment tool before the issuance of permits for fishing derbies and tournaments and
38 when making decisions regarding public access on public waters with documented
39 invasive aquatic plants.