

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 184

H.P. 137

House of Representatives, January 25, 2021

An Act To Minimize the Propagation of Invasive Aquatic Plants

(EMERGENCY)

Received by the Clerk of the House on January 21, 2021. Referred to the Committee on Inland Fisheries and Wildlife pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

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

ROBERT B. HUNT
Clerk

Presented by Representative RISEMAN of Harrison.
Cosponsored by Senator BENNETT of Oxford and
Representatives: BRYANT of Windham, FAY of Raymond, HASENFUS of Readfield,
HEPLER of Woolwich, Senator: CLAXTON of Androscoggin.

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

3 **Whereas,** the boating season begins in the State prior to the statutory adjournment
4 date; and

5 **Whereas,** this Act is necessary to protect Maine's water bodies from invasive aquatic
6 plants; and

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

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

12 **Sec. 1. 38 MRSA §419-C, sub-§1-A** is enacted to read:

13 **1-A. Draining of vessels and equipment.** When removing a vessel from an inland
14 water body and prior to transport away from the area where the vessel left the water, a
15 person shall:

16 A. Drain the vessel, trailer and other equipment that holds water, including live wells,
17 ballast tanks and bilges; and

18 B. Remove or open drain plugs, bailers, valves and other devices to drain the water
19 from the live wells, ballast tanks and bilges.

20 For the purposes of this subsection, "vessel" has the same meaning as in section 542,
21 subsection 11.

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

25 **Emergency clause.** In view of the emergency cited in the preamble, this legislation
26 takes effect when approved.

27 **SUMMARY**

28 This bill requires a person when removing a vessel from an inland water body to drain
29 the vessel and other equipment and to remove or open drain plugs, bailers, valves and other
30 devices to drain the water before that vessel is transported. It exempts emergency response
31 vessels from these requirements.