



General Assembly

February Session, 2002

***Raised Bill No. 401***

LCO No. 1692

Referred to Committee on Environment

Introduced by:  
(ENV)

***AN ACT CONCERNING INVASIVE PLANTS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2002*) (a) There shall be an  
2 Invasive Plants Council which shall consist of the following members:  
3 (1) The Commissioner of Agriculture, or the commissioner's designee;  
4 (2) the Commissioner of Environmental Protection, or the  
5 commissioner's designee; (3) the Director of the Connecticut  
6 Agricultural Experiment Station, or the director's designee; (4) the  
7 Dean of the College of Agriculture at The University of Connecticut, or  
8 the Dean's designee; (5) a representative of Invasive Plant Atlas of  
9 New England; (6) one representative of a nonprofit association  
10 concerned with the environment appointed by the speaker of the  
11 House of Representatives; (7) one representative of a nonprofit  
12 association concerned with growers and retailers of plants and flowers  
13 appointed by the president pro tempore of the Senate; (8) one  
14 representative of a nonprofit association concerned with oceans, lakes  
15 and rivers appointed by the Governor; and (9) one representative from  
16 a company that grows or sells flowers and plants appointed by the  
17 minority leader of the House of Representatives.

18 (b) The council shall annually elect a chairperson from among its  
19 members who shall convene and preside over the council meetings.  
20 Such meetings shall be held at least twice per year. The council may  
21 create work groups as necessary.

22 Sec. 2. (NEW) (*Effective October 1, 2002*) (a) The Invasive Plants  
23 Council shall: (1) Develop and conduct a program to educate the  
24 general public and merchants and consumers of aquatic and land-  
25 based plants as to the problems associated with invasive plants; (2)  
26 make recommendations to control and abate the spread of invasive  
27 plants; (3) provide information regarding invasive plants available to  
28 any person or group who requests such information; (4) annually  
29 publish and periodically update a list of plants considered to be  
30 invasive; and (5) support those state agencies charged with protecting  
31 the environment in conducting research into the control of invasive  
32 plants, including, but not limited to, the development of new varieties  
33 of plant species that do not harm the environment and methods of  
34 eradicating and managing existing species of invasive plants.

35 (b) The council, within available appropriations, may conduct or  
36 recommend research on the problem of invasive plants.

37 (c) The council may use such funds as may be available from  
38 federal, state or other sources and may enter into contracts to carry out  
39 the purposes of this section.

40 (d) The council shall, in accordance with section 11-4a of the general  
41 statutes, annually report to the joint standing committee of the General  
42 Assembly having cognizance of matters relating to the environment on  
43 the council's accomplishments of the past year and recommendations  
44 for the upcoming year.

45 Sec. 3. (NEW) (*Effective October 1, 2002*) (a) In publishing and  
46 updating the list of invasive plants provided for in section 2 of this act,  
47 the Invasive Plants Council shall determine that a plant possesses the  
48 following characteristics before it is included on such list: (1) Is

49 nonindigenous to the state; (2) is naturalized, or occurring without the  
50 aid and benefit of cultivation in an area where the plant is  
51 nonindigenous; (3) under average conditions, the plant has the  
52 biological potential for rapid and widespread dispersion and  
53 establishment in the state or region within the state; (4) under average  
54 conditions, the plant has the biological potential for excessive  
55 dispersion over habitats of varying sizes that are similar or dissimilar  
56 to the site of the plant's introduction into the state; (5) under average  
57 conditions, the plant has the biological potential for existing in high  
58 numbers outside of habitats that are intensely managed; (6) occurs  
59 widely in a region of the state or a particular habitat within the state;  
60 (7) the plant has numerous individuals within many populations; (8) is  
61 able to out-compete other species in the same natural plant  
62 community; and (9) has the potential for rapid growth, high seed  
63 production and dissemination and establishment in natural plant  
64 communities.

65 (b) In addition to plants that meet the criteria in subsection (a) of  
66 this section, the council may list plants that have the potential, based  
67 on their biology and colonization history, to become invasive in the  
68 state.

69 (c) In addition to the criteria specified in subsection (a) of this  
70 section, the council may use other criteria that it deems appropriate.  
71 The listing of a plant shall require the approval of the majority of the  
72 membership of the council. The council shall hold a public hearing  
73 concerning said list not later than thirty days prior to the publication of  
74 the initial list or any changes to said list.

75 (d) In listing a plant, the council shall: (1) Make recommendations  
76 on how to discourage the sale and import of such plants in the state;  
77 (2) make a finding on: (A) The estimated dollar value of sales of said  
78 plant in the state; (B) the estimated costs associated with eradication of  
79 the plant in the state; (C) the potential effect of the plant on the  
80 environmental resources of the state or a region within the state; and

81 (D) the estimated effect on property values in the state or a region of  
82 the state where said plant may propagate; and (3) identify alternative  
83 plants to the listed plant for growing purposes.

84 Sec. 4. (NEW) (Effective October 1, 2002) No state agency,  
85 department or institution shall enter into a contract that requires or  
86 allows the purchase of plants on the list described in subdivision (4) of  
87 subsection (a) of section 2 of this act. Nothing in this section shall be  
88 construed to prohibit the transportation of plants on said list for  
89 educational or research purposes.

90 Sec. 5. Section 15-140e of the general statutes is amended by adding  
91 subsection (f) as follows (*Effective October 1, 2002*):

92 (NEW) (f) Any course in safe boating operation approved by the  
93 Commissioner of Environmental Protection, as described in subsection  
94 (b) of this section, shall include instruction on the proper means of: (1)  
95 Inspecting a motorboat for the presence of invasive plants; (2)  
96 identifying such plants; and (3) disposing of such plants.

97 Sec. 6. (NEW) (Effective October 1, 2002) (a) No person shall  
98 transport a motorboat, as defined in section 15-127 of the general  
99 statutes, in the state without first inspecting such vessel for the  
100 presence of: (1) Curly leaved Pondweed (*Potamogeton crispus*); (2)  
101 fanwort (*Cabomba caroliniana*); (3) eurasian water milfoil  
102 (*Myriophyllum spicatum*); (4) variable water milfoil (*Myriophyllum*  
103 *heterophyllum*); (5) water chestnut (*Trapa natans*); (6) egeria (*Egeria*  
104 *densa*); and (7) hydrilla (*Hydrilla verticillata*) and properly removing  
105 and disposing of such plants from such vessel.

106 (b) Any person who violates the provisions of this section shall be  
107 fined not more than one hundred dollars for each such violation.

108 Sec. 7. Subsection (a) of section 26-6 of the general statutes is  
109 repealed and the following is substituted in lieu thereof (*Effective*  
110 *October 1, 2002*):

111 (a) Conservation officers, special conservation officers and  
 112 patrolmen appointed by the commissioner under authority of section  
 113 26-5, shall enforce the provisions of title 23 and this title and chapters  
 114 246, 247, 248, 255 and 268 and regulations adopted pursuant to such  
 115 titles and chapters and sections 26-192c to 26-192h, inclusive, 22a-250,  
 116 as amended, 29-28, as amended, 29-35, as amended, 29-38, 53-134, 53-  
 117 190, 53-191, 53-194, 53-203, 53-204, 53-205, 53a-59 to 53a-64, inclusive,  
 118 53a-100 to 53a-117, inclusive, subsection (b) of section 53a-119b, 53a-  
 119 122 to 53a-125, inclusive, 53a-130, 53a-133 to 53a-136, inclusive, 53a-147  
 120 to 53a-149, inclusive, 53a-157b, 53a-165 to 53a-167c, inclusive, as  
 121 amended, 53a-171, 53a-181 to 53a-183a, inclusive, as amended, 54-33d,  
 122 [and] 54-33e and section 6 of this act.

This act shall take effect as follows:	
Section 1	<i>October 1, 2002</i>
Sec. 2	<i>October 1, 2002</i>
Sec. 3	<i>October 1, 2002</i>
Sec. 4	<i>October 1, 2002</i>
Sec. 5	<i>October 1, 2002</i>
Sec. 6	<i>October 1, 2002</i>
Sec. 7	<i>October 1, 2002</i>

**Statement of Purpose:**

To protect Connecticut's waterways and natural resources from harmful invasive plants.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*