



General Assembly

February Session, 2002

Amendment

LCO No. 5587

HB0548305587SR0

Offered by:

SEN. RORABACK, 30th Dist.

To: Subst. House Bill No. 5483

File No. 599

Cal. No. 411

**"AN ACT CONCERNING PERMITS FOR MARINE STRUCTURES IN
THE GATEWAY REGION OF THE CONNECTICUT RIVER."**

1 After the last section, insert the following:

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

16 appointed by the Governor; and (9) one representative from a
17 company that grows or sells flowers and plants appointed by the
18 minority leader of the House of Representatives.

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

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

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

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

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

46 Sec. 4. (NEW) (*Effective October 1, 2002*) (a) In publishing and

47 updating the list of invasive plants provided for in section 3 of this act,
48 the Invasive Plants Council shall determine that a plant possesses the
49 following characteristics before it is included on such list: (1) Is
50 nonindigenous to the state; (2) is naturalized, or occurring without the
51 aid and benefit of cultivation in an area where the plant is
52 nonindigenous; (3) under average conditions, the plant has the
53 biological potential for rapid and widespread dispersion and
54 establishment in the state or region within the state; (4) under average
55 conditions, the plant has the biological potential for excessive
56 dispersion over habitats of varying sizes that are similar or dissimilar
57 to the site of the plant's introduction into the state; (5) under average
58 conditions, the plant has the biological potential for existing in high
59 numbers outside of habitats that are intensely managed; (6) occurs
60 widely in a region of the state or a particular habitat within the state;
61 (7) the plant has numerous individuals within many populations; (8) is
62 able to out-compete other species in the same natural plant
63 community; and (9) has the potential for rapid growth, high seed
64 production and dissemination and establishment in natural plant
65 communities.

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

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

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

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

85 Sec. 5. (NEW) (*Effective October 1, 2002*) Each state agency,
86 department or institution shall use reasonable efforts to avoid the
87 purchase of plants on the list described in subdivision (4) of subsection
88 (a) of section 3 of this act. If a state agency, department or institution
89 does purchase such a plant, said agency, department or institution
90 shall provide written notice of such purchase to the council including
91 an explanation for such purchase. Nothing in this section shall be
92 construed to prohibit the transportation of plants on said list for
93 educational or research purposes.

94 Sec. 6. Section 15-140e of the general statutes is amended by adding
95 subsection (f) as follows (*Effective October 1, 2002*):

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

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

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

112 Sec. 8. Subsection (a) of section 26-6 of the general statutes is
113 repealed and the following is substituted in lieu thereof (*Effective*
114 *October 1, 2002*):

115 (a) Conservation officers, special conservation officers and
116 patrolmen appointed by the commissioner under authority of section
117 26-5, shall enforce the provisions of title 23 and this title and chapters
118 246, 247, 248, 255 and 268 and regulations adopted pursuant to such
119 titles and chapters and sections 26-192c to 26-192h, inclusive, 22a-250,
120 as amended, 29-28, as amended, 29-35, as amended, 29-38, 53-134, 53-
121 190, 53-191, 53-194, 53-203, 53-204, 53-205, 53a-59 to 53a-64, inclusive,
122 53a-100 to 53a-117, inclusive, subsection (b) of section 53a-119b, 53a-
123 122 to 53a-125, inclusive, 53a-130, 53a-133 to 53a-136, inclusive, 53a-147
124 to 53a-149, inclusive, 53a-157b, 53a-165 to 53a-167c, inclusive, as
125 amended, 53a-171, 53a-181 to 53a-183a, inclusive, as amended, 54-33d,
126 [and] 54-33e and section 7 of this act.