



Senate

General Assembly

File No. 473

February Session, 2004

Substitute Senate Bill No. 547

Senate, April 6, 2004

The Committee on Judiciary reported through SEN. MCDONALD of the 27th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING FINES FOR BANNED INVASIVE PLANTS.

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

1 Section 1. Section 8 of public act 03-136 is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2004*):

3 (a) Notwithstanding the provisions of any ordinance adopted by a
4 municipality, no person shall import, [move,] sell, purchase, [possess]
5 transplant, cultivate or distribute any of the following invasive plants:
6 (1) Curly leaved Pondweed (*Potamogeton crispus*); (2) fanwort
7 (*Cabomba caroliniana*); (3) eurasian water milfoil (*Myriophyllum*
8 *spicatum*); (4) variable water milfoil (*Myriophyllum heterophyllum*);
9 (5) water chestnut (*Trapa natans*); (6) egeria (*Egeria densa*); and (7)
10 hydrilla (*Hydrilla verticillata*). Any person who violates the provisions
11 of this subsection shall be fined not more than one hundred dollars per
12 plant.

13 (b) From June 26, 2003, until May 5, 2004, no municipality shall

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 05 \$	FY 06 \$
Resources of the General Fund	GF - Revenue Impact	Minimal	Minimal

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill modifies the statutory provisions related to certain banned, invasive plants and specifies that the maximum fine for violating certain provisions is \$100 per plant. Any revenue impact under the bill is anticipated to be minimal.

OLR Bill Analysis

sSB 547

AN ACT CONCERNING FINES FOR BANNED INVASIVE PLANTS**SUMMARY:**

This bill bars transplanting seven specific invasive plant species, but eliminates restrictions against moving or possessing them. By law, it is also illegal to import, sell, purchase, cultivate, or distribute these plants. The bill specifies that the maximum fine for violating these provisions is \$100 per plant.

EFFECTIVE DATE: October 1, 2004

BACKGROUND***Banned Plants***

The bill affects: (1) Curly leaved Pondweed (*Potamogeton crispus*); (2) fanwort (*Cabomba caroliniana*); (3) eurasian water milfoil (*Myriophyllum spicatum*); (4) variable water milfoil (*Myriophyllum heterophyllum*); (5) water chestnut (*Trapa natans*); (6) egeria (*Egeria densa*); and (7) hydrilla (*Hydrilla verticillata*).

Related Bill

sHB 5614, reported favorably by the Environment Committee on March 17, eliminates the ban on moving or owning the above seven plants and bars transplanting them. It also bars (1) anyone from importing or cultivating for commercial purposes 44 additional species of invasive plants, and (2) starting January 1, 2007, anyone from selling, buying, transplanting, cultivating or distributing any of the 44 additional plants. Finally, it extends a reporting deadline of the Invasive Plants Council.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute Change of Reference
Yea 27 Nay 0

Judiciary Committee

Joint Favorable Report
Yea 41 Nay 0