

Maine State Invasive Aquatic Plant Laws

The State of Maine enacted Title 38, Chapter 3, Section §419-C *Prevention of the spread of invasive aquatic plants* in 1999. This statute provides the following prohibitions:

A person may not:

- A. Transport any aquatic plant or parts of any aquatic plant, including roots, rhizomes, stems, leaves or seeds, on the outside of a vehicle, boat, personal watercraft, boat trailer or other equipment on a public road;
- B. Possess, import, cultivate, transport or distribute any invasive aquatic plant or parts of any invasive aquatic plant, including roots, rhizomes, stems, leaves or seeds, in a manner that could cause the plant to get into any state waters; or
- C. After September 1, 2000, sell or offer for sale in this State any invasive aquatic plant.

Title 38 chapter 3 <http://legislature.maine.gov/statutes/38/title38sec410-N.html> and <http://legislature.maine.gov/statutes/38/title38sec419-C.html>

Further laws were passed in Title 38, Chapter 20-A to create a dedicated funding mechanism for prevention and control programs and to outline those programs and their goals. It also includes a mechanism for restricting surface use on infested waterbodies.

Title 38 chapter 20-A <http://legislature.maine.gov/statutes/38/title38ch20-Asec0.html> and <http://legislature.maine.gov/statutes/38/title38ch20-Bsec0.html>.

Title 12, chapter 935, Section §13068-A, contains prohibitions against launching contaminated boats and failure to display a lakes and rivers protection sticker (the funding mechanism created in Title 38, Chapter 20-A). A person violating all of these prohibitions could face a combined maximum penalty nearly \$13,000.

Title 12, chapter 935, Section §13068-A <http://legislature.maine.gov/statutes/12/title12sec13058.html> and <http://legislature.maine.gov/statutes/12/title12sec13068-A.html>

Additional Invasive Aquatic Plant provisions are codified in the following statutes:

5 MRSA 12004-D(6) – Interagency task force expenses

<http://legislature.maine.gov/statutes/5/title5sec12006.html>

12 MRSA 13001(6) -- "aquatic plant" and (14) "invasive aquatic plant"

<http://legislature.maine.gov/statutes/12/title12sec13001.html>

12 MRSA 13068(1) -- Launching contaminated watercraft

<http://legislature.maine.gov/statutes/12/title12sec13068-a.html>

12 MRSA 10257-- Lake and river protection fund

<http://legislature.maine.gov/statutes/12/title12sec10257.html>

38 MRSA 1864 -- Emergency authority to regulate surface use

<http://legislature.maine.gov/statutes/38/title38sec1864.html>