

Highlights of Connecticut State Legislation on Invasive Plants

In May, 2003, the Connecticut General Assembly passed the Substitute for Raised S.B. No. 1046 entitled "An Act Concerning Invasive Plants". The bill, which became Public Act 136, was passed nearly unanimously. (The House voted Yes-142, No-3, Absent-5, and the Senate voted Yes-35, No-0, Absent-1.) The full text may be viewed at www.cga.ct.gov. At the top of the page, put 1046 in the Bill Number for the Year 2003 and click on the green GO. Under Text of Bill, click on Public Act No. 03-136.

Section 1. An Invasive Plants Council consisting of nine members shall be established. Membership will be based upon appointment by nine state officials each of whom is assigned to appoint someone from one of the nine specifically-designated governmental agencies or interest groups.

Section 2. The role of the Invasive Plants Council includes annual publication of a list of plants considered to be *invasive* or *potentially invasive*, education, and support of state agencies charged with protecting the environment in conducting research on invasive plant control. **No specific funding was given to the Invasive Plants Council.**

The Invasive Plants Council may recommend prohibition of the import, export, retail sale, or wholesale and purchase of any plant they have listed as *invasive* or *potentially invasive*. The recommendations require a two-thirds vote and will be made to the Connecticut General Assembly's joint standing committee in charge of matters relating to the environment.

Section 3. Nine specific criteria are set forth for listing a plant as *invasive*. Some highlights include: Plants that are native to Connecticut will not be listed as *invasive* [no matter how troublesome some people may find them]. *Potentially invasive* plants must be non-indigenous (not native) to Connecticut and have the ability to spread rapidly and exist outside of habitats that are intensely managed. To be designated *invasive*, a plant must meet all nine of the specific criteria (which include those mentioned above, as well as having the ability to out-compete other species in the natural plant community into which it has invaded). *Potentially invasive* plants must meet the first five of the specific criteria and at least one of the remaining criteria.

Before a plant meeting the criteria for *invasive* or *potentially invasive* may be listed, its listing must be approved by a majority of the Council's membership. If two or more members request it, the Council shall hold public meetings prior to the publication of the invasive plant lists. **NOTE: in January 2004, the Council issued a list of plants considered *invasive* or *potentially invasive* which may be viewed at http://invasives.eeb.uconn.edu/ipane/ctcouncil/CT_invasive_Plant_List.htm.**

NOTE: The USDA Natural Resources Conservation Service in CT will not recommend any plant on this list.

The Council also is charged with making recommendations for discouraging the sale and import of *invasive* or *potentially invasive* plants and identifying alternative plants. **NOTE: this led to the banned plants list, Public Act 04-203 (Bill No. 547, Year 2004)**

Section 4. State agencies, departments, and institutions are prohibited from purchasing any plant listed as *invasive* or *potentially invasive* (except as necessary to honor state contracts made before the plant was listed).

Nothing in this section shall be construed to prohibit any state agency, department or institution from transporting any *invasive* or *potentially invasive* plant for education or research purposes.

Section 5. The Connecticut General Statutes will be amended to say that *safe boating courses approved by the Commissioner of Environmental Protection shall include instruction on (1) how to inspect vessels and their trailers for the presence of vegetation and (2) how to dispose of such vegetation.*

Section 6. It is illegal (and punishable by not more than a \$100 fine) **to transport vessels and their trailers without first inspecting them for vegetation and properly disposing of any such vegetation.**

NOTE: the law does not require anyone to be able to identify specific kinds of vegetation on boats.

Section 7. The enforcement of the law relating to vessels and trailers will be enforced by conservation officers, special conservation officers, and patrol men [sic] appointed by the commissioner.

Section 8. The importation, movement, sale, purchase, possession, cultivation, and distribution of seven water plants is prohibited and is punishable by a fine of not more than \$100.

NOTE: this section was revised and received many additions in the 2004 law (PA 04-203).

No municipality shall adopt any ordinance regarding retail sale or purchase of any *invasive* plant until after May 5, 2004.

NOTE: 2004 law (PA 04-203) changed date to October 1, 2005