



Department of Natural Resources Fact Sheet



2012 POLICY FACT SHEET Aquatic Invasive Species Prevention Bill (12-4094)

It is needed because

This bill contains a number of policy and technical changes related to aquatic invasive species and aquatic plant management. This initiative is intended to increase efforts to prevent the transportation and spread of aquatic invasive species by providing more authority for inspections and enforcement including the ability to delegate authority to local units of government, requiring a 21 day waiting period when moving a dock, boat lift, or swim raft from one water body to another, raising penalties for violations, and requiring a certification program for people trailering watercraft or water-related equipment. The bill also provides an exception for draining portable bait containers when ice fishing on waters that are not infested with viral hemorrhagic septicemia (VHS) and allows the use of bait taken from VHS infested waters if it has been properly processed in accordance with rules adopted by the commissioner.

OVERVIEW

Sections 1; Persons Transporting Water-Related Equipment

This section provides an exemption from requirements to drain potable bait containers when ice fishing except on waters designated with infestations of VHS. This section also establishes a minimum 21 day waiting period between moving a boat lift, dock, swim raft or associated equipment from one water body to another water body. *M.S. 84D.10.4*

Sections 2; Inspection of Watercraft and Water-Related Equipment

This section allows the commissioner to delegate authority to require mandatory inspections to tribal and local governments that assume all legal, financial, and administrative responsibilities for inspection programs on public waters within their jurisdiction. Conservation officers and licensed peace officers may order water-related equipment to be removed from a water body if necessary to implement aquatic invasive species control measures. The commissioner may

establish inspection stations and require mandatory inspections before placing water-related equipment into a water body. The commissioner may also authorize tribal and local governments to operate mandatory inspection stations. Criteria for mandatory inspection requirements are provided to address safety, consistency, and public access issues. *M.S. 84D.105.2*

Section 3; Increase Civil Penalties;

This section doubles most penalty amounts and includes a higher penalty for those persons who continue to violate the invasive species laws. The section clarifies a civil penalty option for failing to leave drain plugs or similar devices removed or opened while transporting water related equipment. *M.S. 84D.13.5*

Sections 4 and 5; Aquatic Invasive Species Prevention Certification Program

Sections 4 and 5 establish a certification program that requires a person trailering watercraft or water-related equipment to complete training and testing related to preventing the spread of aquatic invasive species. The effective date for this section is July 1, 2015. *M.S. 84D.13; M.S. 84D.135*

Section 6; Certain Aquatic Life Prohibited for Bait

This change allows the possession and use of bait taken from waters infested with VHS if the bait has been processed to inactive VHS using procedures prescribed by rules adopted by the commissioner. *M.S. 97C.341*

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