

CS FOR HOUSE BILL NO. 177(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered: 4/23/18

Referred: Rules

Sponsor(s): REPRESENTATIVES TARR, Kawasaki, Grenn, Josephson, Drummond, Stutes

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the response to, and control of, aquatic invasive species; establishing**
2 **the aquatic invasive species response fund; and relating to the provision of information**
3 **about aquatic invasive species to certain persons registering or transporting boats."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 *** Section 1.** AS 05.25.055 is amended by adding a new subsection to read:

6 (j) To the extent possible, the Department of Administration shall ensure that a
7 person who registers a boat under this section is provided with any information
8 relating to aquatic invasive species that has been published in pamphlet form by the
9 Department of Natural Resources or the Department of Fish and Game.

10 *** Sec. 2.** AS 16.05 is amended by adding a new section to read:

11 **Sec. 16.05.093. Response to, and control of, aquatic invasive species.** (a)
12 Consistent with applicable state and federal law, the department may use chemical,
13 biological, mechanical, or physical methods, singly or in combination, to control the
14 occurrence of or eradicate an aquatic invasive species.

1 (b) In responding under (a) of this section to the occurrence of an aquatic
2 invasive species, the department may apply for suspension of, or emergency,
3 quarantine, public health, crisis, or other exemptions to, applicable environmental laws
4 and regulations.

5 (c) Response to, and management of, an aquatic invasive species under (a) of
6 this section shall be given priority over activities regulated by the department in the
7 area where an incipient population of an aquatic invasive species is being targeted.
8 The commissioner or an authorized designee may summarily open or close a season or
9 area under AS 16.05.060 to aid in responding to the occurrence of an aquatic invasive
10 species under this section.

11 (d) Each state department, agency, or other entity shall cooperate with the
12 department response to the occurrence of an aquatic invasive species when the
13 department has jurisdiction, and the department shall cooperate with another state
14 department, agency, or entity responding to the occurrence of an aquatic invasive
15 species when the department, agency, or other entity has jurisdiction.

16 (e) The Department of Natural Resources and the department shall include in
17 all relevant leases and permits a provision that the state and the officers and employees
18 of the state shall be held harmless for an act under (a) of this section that affects
19 private property of the lessee or permittee.

20 (f) In responding under (a) of this section to the occurrence of freshwater
21 aquatic invasive species, the department shall respond in a manner determined to
22 cause the least harm to noninvasive fish populations that are used for recreational,
23 personal use, commercial, or subsistence purposes.

24 (g) In responding under (a) of this section to the occurrence of an incipient
25 population of an aquatic invasive species, the department shall provide reasonable
26 notice to affected property owners and shall consider the potential effects of its
27 response measures on private property while selecting the most effective methods to
28 eradicate or control the aquatic invasive species.

29 (h) The aquatic invasive species response fund is established in the general
30 fund. The fund consists of appropriations made to the fund. The purpose of the fund is
31 to pay for responses to aquatic invasive species carried out under (a) of this section.

1 Money appropriated to the fund may be spent for responses made to control the
2 occurrence of or to eradicate an aquatic invasive species under (a) of this section
3 without further appropriation. Money appropriated to the fund does not lapse.

4 (i) In this section, "aquatic invasive species" means an aquatic species,
5 including the seeds, eggs, spores, larvae, or other biological material capable of
6 propagation of the species, that is not native to the state or ecosystem of interest and
7 the presence of which may cause economic or environmental harm.

8 * **Sec. 3.** AS 19.65 is amended by adding a new section to read:

9 **Sec. 19.65.033. Provision of information relating to aquatic invasive**
10 **species.** To the extent possible, the commissioner of transportation and public
11 facilities shall ensure that a person who purchases a ticket for vehicle deck space on a
12 ferry for the purpose of transporting a vessel into the state is provided with any
13 information relating to aquatic invasive species that has been published in pamphlet
14 form by the Department of Natural Resources or the Department of Fish and Game.