

STATE OF NEW YORK

7735--A

2021-2022 Regular Sessions

IN ASSEMBLY

May 20, 2021

Introduced by M. of A. JONES -- read once and referred to the Committee on Environmental Conservation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the environmental conservation law, in relation to aquatic invasive species inspection stations and spread prevention efforts; and to amend chapter 330 of the laws of 2014, amending the environmental conservation law relating to aquatic invasive species, spread prevention, and penalties, in relation to making such provisions permanent

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The environmental conservation law is amended by adding a
2 new section 9-1711 to read as follows:

3 § 9-1711. Aquatic invasive species inspection stations in the Adirondack
4 park.

5 1. The department may establish aquatic invasive species inspection
6 stations at any location in the Adirondack park and within a ten-mile
7 radius of the Adirondack park boundary, including, but not limited to:
8 interstate borders, highways, or other roads; locations adjacent to or
9 near waters; and at state-owned facilities to ensure compliance with the
10 requirements of section 9-1710 of this title. Projects to establish
11 such aquatic invasive species inspection stations shall be eligible for
12 funding from appropriations made for access and stewardship projects
13 within the parks, recreation and historic preservation account estab-
14 lished pursuant to section ninety-two-s of the state finance law.

15 2. Before entering a waterbody, owners and operators of motorized
16 watercraft who are not in possession of a self-issuing certification or
17 an inspection or decontamination certificate since their last operation
18 of such watercraft in a waterbody shall stop at an aquatic invasive
19 species inspection station where such station is located adjacent to
20 such waterbody and open at the time of entering the waterbody in order

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 to inspect their watercraft to ensure compliance with the require-
2 ments of section 9-1710 of this title. The department shall maintain on
3 their website a list of such stations and their operating hours in order
4 to assist motorized watercraft owners and operators in locating stations
5 where they can inspect and clean their watercraft.

6 3. The department or other entity designated by the department may
7 issue an inspection or decontamination certificate to the owner or
8 person in possession of a motorized watercraft that has been inspected.
9 Such certificate shall include the following details: (a) the name of
10 the department and of the person who conducted the inspection; (b) the
11 date, place, and time of inspection; (c) any preventative measures
12 performed or ordered; and (d) decontamination performed.

13 4. If the department or designated entity issues an inspection or
14 decontamination certificate to the owner or person in possession of the
15 motorized watercraft, the department or designated entity may attach a
16 tamperproof tag to the motorized watercraft to certify such motorized
17 watercraft arriving at a boat launch with unbroken tags could launch
18 without an additional inspection. Such tag may only be removed prior to
19 a launch.

20 5. The department may recognize an inspection or decontamination
21 certificate issued by another governmental entity, if the other govern-
22 mental entity adheres to the minimum standards for inspection and decon-
23 tamination as determined by the department, including but not limited to
24 recognized uniform standards.

25 6. The department will review all data collected at aquatic invasive
26 species inspection stations, including any data from designated enti-
27 ties, to identify any changes to the current practices to better protect
28 Adirondack lakes and waters.

29 § 2. Section 9-1710 of the environmental conservation law is amended
30 by adding two new subdivisions 3 and 4 to read as follows:

31 3. The department may create and maintain a self-issuing certification
32 designed for a person to demonstrate that reasonable precautions have
33 been taken prior to launching a watercraft.

34 4. The department shall conduct education and outreach efforts includ-
35 ing, but not limited to the following:

36 (a) establish and maintain a public website for the dissemination of
37 educational materials to promote cleaning, draining and drying of water-
38 crafts;

39 (b) develop and distribute educational materials including, but not
40 limited to, the most effective methods to prevent the spread of aquatic
41 invasive species, and the potential for live wells and other interior
42 water compartments to carry aquatic invasive species such as the spiny
43 water flea; and

44 (c) include boat washing education in approved boating safety courses.

45 § 3. Section 4 of chapter 330 of the laws of 2014, amending the envi-
46 ronmental conservation law relating to aquatic invasive species, spread
47 prevention, and penalties, as amended by section 1 of item 0 of subpart
48 B of part XXX of chapter 58 of the laws of 2020, is amended to read as
49 follows:

50 § 4. This act shall take effect one year after it shall have become a
51 law [~~and shall expire and be deemed repealed June 1, 2021~~]. Effective
52 immediately, the addition, amendment, and/or repeal of any rule or regu-
53 lation necessary for the timely implementation of this act on its effec-
54 tive date is authorized to be made on or before such effective date.

55 § 4. Notwithstanding the provisions of article 5 of the general
56 construction law, the provisions of section 9-1710 of the environmental

1 conservation law, as amended by section two of this act, are hereby
2 revived and shall continue in full force and effect as such provisions
3 existed on May 31, 2021.

4 § 5. This act shall take effect immediately; provided, however, that
5 sections one and two of this act shall take effect on the one hundred
6 eightieth day after it shall have become a law; and provided further,
7 however, that section three of this act shall be deemed to have been in
8 full force and effect on and after June 1, 2021.