STATE OF NEW YORK

6880

2021-2022 Regular Sessions

IN SENATE

May 20, 2021

Introduced by Sen. MANNION -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to permitting municipalities across the state to establish mandatory inspection programs for the purposes of removing invasive species from a watercraft before launching into any state waters and to establish a grant program for municipalities who participate in such inspection programs; 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 the effectiveness thereof

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

Section 1. Section 9-1710 of the environmental conservation law is amended by adding a new subdivision 3 to read as follows:

3. Municipalities across the state shall be permitted to establish mandatory watercraft inspection programs, which shall require any watercraft being launched into state waters to first be inspected for invasive species before it is launched in such waters. Any owner of a watercraft shall inspect, clean, drain and dry his or her watercraft prior to launch to prevent the spread of aquatic invasive species in the following manner:

(a) inspect and remove all visible mud, plants, fish or animals on the watercraft, trailer, clothing, dogs or any other equipment and dispose of such items in a suitable trash container on dry land;

(b) clean the watercraft and any equipment with hot water greater than one hundred forty degrees Fahrenheit. If hot water is not available, owners shall spray their watercraft, trailer and equipment with high-pressure water;

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

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(c) drain water from the watercraft, hatches, bilge, live well, transom well and any other locations with water on land before leaving the launch site; and

(d) dry the watercraft, trailer and all equipment completely for at least five days prior to any launch of such watercraft.

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

§ 9-1711. Aquatic invasive species watercraft inspection grant program.

1. The commissioner shall, subject to appropriation, establish a grant program to be known as the "mandatory watercraft inspection grant program".

2. Such grant program shall award grants, with appropriations therefor, to municipalities who establish mandatory watercraft inspections for the purpose of preventing the spread of aquatic invasive species, as set forth pursuant to subdivision three of section 9-1710 of this title.

3. The commissioner shall develop and establish standards applicable to the mandatory watercraft inspection grant program. Such standards shall include, but not be limited to, best practices for cleaning a watercraft prior to launch in state waters and best practices for municipalities to effectively inspect watercrafts to enforce a mandatory watercraft inspection program that such municipality has established.

4. In no case shall such grant program expend more than five hundred thousand dollars total annually, and not more than one hundred thousand dollars per municipality annually.

§ 3. Section 4 of chapter 330 of the laws of 2014, amending the environmental conservation law relating to aquatic invasive species, spread prevention, and penalties, as amended by section 1 of item O of subpart B of part XXX of chapter 58 of the laws of 2020, is amended to read as follows:

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

§ 4. This act shall take effect immediately, provided, however, that sections one and two of this act shall take effect on the sixtieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.