

# MAINE STATE LEGISLATURE

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342  
R.O.F.S

L.D. 115

Date: 5/20/25

(Filing No. S-118)

**MINORITY**

**TRANSPORTATION**

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE**

**SENATE**

**132ND LEGISLATURE**

**FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT "A" to S.P. 15, L.D. 115, "An Act to Assess Impact Fees on Megayachts"

Amend the bill by inserting after section 1 the following:

**Sec. 2. Appropriations and allocations.** The following appropriations and allocations are made.

**ENVIRONMENTAL PROTECTION, DEPARTMENT OF**

**Megayacht Fund N459**

Initiative: Provides baseline allocations to establish the program.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2025-26</b>	<b>2026-27</b>
All Other	\$500	\$500
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$500</b>	<b>\$500</b>

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

**SUMMARY**

This amendment, which is the minority report of the committee, incorporates a fiscal note. The fiscal note states that, to the extent that the collection of impact fees requires a local unit of government to expand or modify its activities so as to necessitate additional expenditures from local revenue, expenditure of local revenue may be required, and, as a result, the fiscal note flags the legislation as a potential mandate. The committee reviewed the fiscal note, and the minority of the committee determined that the requirements of the legislation do not amount to a mandate. Many municipalities already collect docking fees or other fees, and so the legislation does not require them to add new infrastructure to collect the impact fees. In addition, 50% of the impact fee is proposed to be distributed to municipalities to support harbor and sea level rise mitigation infrastructure and 50% to

**COMMITTEE AMENDMENT**

COMMITTEE AMENDMENT "A" to S.P. 15, L.D. 115 (5-118)

1 support public transit infrastructure, and this can be used to offset any cost to municipalities  
 2 of implementing the impact fees. As such, the minority of the committee believes that this  
 3 requirement does not mandate a municipality to do anything it cannot already do within  
 4 existing resources.

5 This amendment provides baseline allocations to establish the Megayacht Fund.

6 **FISCAL NOTE REQUIRED**

7 (See attached)

**132nd MAINE LEGISLATURE****LD 115****LR 61(02)****An Act to Assess Impact Fees on Megayachts****Fiscal Note for Bill as Amended by Committee Amendment "A" (S-118)****Committee: Transportation****Fiscal Note Required: Yes**

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**Fiscal Note**

Potential State Mandate - Unfunded

	FY 2025-26	FY 2026-27	Projections FY 2027-28	Projections FY 2028-29
<b>Appropriations/Allocations</b>				
Other Special Revenue Funds	\$500	\$500	\$500	\$500

**State Mandates****Required Activity**

Requires certain municipalities to assess and collect an impact fee on privately owned pleasure vessels over 150 feet in length and remit 90% of all fees collected to the State.

**Unit Affected**  
Municipality

**Local Cost**  
Moderate  
limited scope

The required local activities in this bill may represent a state mandate pursuant to the Constitution of Maine. If the bill does require a local unit of government to expand or modify its activities so as to necessitate additional expenditures from local revenue, the state mandate provisions of the Constitution of Maine require either: (1) General Fund appropriations be provided to fund at least 90% of any additional necessitated local costs of the mandate; or (2) a Mandate Preamble be added to the bill and two-thirds of the members of each House vote to exempt the mandate from the funding requirement. If the bill does represent a state mandate and neither one of these actions occurs, the local units of government will not be required to implement the mandated activities.

**Fiscal Detail and Notes**

This bill establishes the Megayacht Fund (MF) within the Department of Environmental Protection (DEP). The bill creates an impact fee of \$10 per foot of length over 150 feet per day for up to 30 consecutive days assessed by municipalities on privately-owned pleasure vessels. Municipalities may keep 10% of the total fee collected and must remit the remaining 90% to the state to be deposited into the MF. The bill directs that 50% of the revenue deposited into the MF be distributed to municipalities to support harbor and sea level rise mitigation infrastructure and 50% to support public transit infrastructure. Because of the limited number of private yachts that may qualify for the fee, an estimate of the revenue cannot be determined at this time. The bill includes allocations of \$500 to the MF beginning in fiscal year 2023-24 to establish the program and allow for future disbursements of the revenue generated by the fee. The DEP has indicated that depending on the amount of funding available for disbursement, additional staffing may be needed to manage the disbursement program; this staffing is not included in this fiscal note but would be reflected in future budgets.

Sufficient Other Special Revenue Funds allocations currently exist within the Multimodal - Transit program to allow expenditure of any funds received.