

# MAINE STATE LEGISLATURE

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# 123rd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2007

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Legislative Document

No. 153

H.P. 135

House of Representatives, January 12, 2007

### **An Act To Improve the Control and Prevention of Invasive Plant Infestations**

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Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.  
Reference to the Committee on Inland Fisheries and Wildlife suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative EBERLE of South Portland.  
Cosponsored by Senator COURTNEY of York and  
Representatives: BRYANT of Windham, CEBRA of Naples, FLOOD of Winthrop, JACKSON of Allagash, KOFFMAN of Bar Harbor, Senator: NASS of York.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 12 MRSA §10206, sub-§3, ¶C**, as amended by PL 2005, c. 12, Pt. III, §2,  
3 is further amended to read:

4 C. All revenues collected under the provisions of this Part relating to watercraft,  
5 including chapter 935, including fines, fees and other available money deposited with  
6 the Treasurer of State, must be distributed as undedicated revenue to the General  
7 Fund and the Department of Marine Resources according to an allocation rate that  
8 directly relates to the administrative costs of the Division of Licensing and  
9 Registration. Three dollars of each motorized watercraft registration is dedicated to  
10 the Department of Inland Fisheries and Wildlife and is not subject to the split with  
11 another agency as required under this paragraph. The Legislature shall appropriate to  
12 the department in each fiscal year an amount equal to the administrative costs  
13 incurred by the department in collecting revenue under this subsection. Those costs  
14 must be verified by the Department of Marine Resources and the Department of  
15 Administrative and Financial Services. The allocation rate must also allow for any  
16 necessary year-end reconciliation and accounting distribution. The allocation rate  
17 must be jointly agreed to by the department and the Department of Marine Resources  
18 and approved by the Department of Administrative and Financial Services, Bureau of  
19 the Budget.

20 The fees outlined in section 13056, subsection 8, paragraphs A and B for watercraft  
21 operating on inland waters of the State each include a \$10 fee for invasive species  
22 prevention and control. This fee is disposed of as follows:

23 (1) Sixty percent of the fee must be credited to the Invasive Aquatic Plant and  
24 Nuisance Species Fund established within the Department of Environmental  
25 Protection under Title 38, section 1863; and

26 (2) Forty percent of the fee must be credited to the Lake and River Protection  
27 Fund established within the department under section 10257.

28 **Sec. 2. 12 MRSA §13056, sub-§8, ¶A**, as amended by PL 2005, c. 12, Pt. III,  
29 §38, is further amended to read:

30 A. For a watercraft requiring or whose owner requests a certificate of number and  
31 that is equipped with a motor having a manufacturer's horsepower rating of:

32 (1) Ten horsepower or less, the fee is \$20 for operating on inland waters of the  
33 State and \$10 for operating only on tidal waters of the State;

34 (2) Greater than 10, but not more than 50 horsepower, the fee is \$25 for  
35 operating on inland waters of the State and \$15 for operating only on tidal waters  
36 of the State; and

37 (3) Greater than 50 horsepower but not more than 115 horsepower, the fee is  
38 \$31 for operating on inland waters of the State and \$21 for operating only on  
39 tidal waters of the State.

40 **Sec. 3. 12 MRSA §13056, sub-§8, ¶B**, as amended by PL 2005, c. 12, Pt. III,  
41 §38, is further amended to read:

1 B. For a personal watercraft requiring or whose owner requests a certificate of  
2 number and watercraft equipped with a motor having a manufacturer's horsepower  
3 rating of 115 horsepower or greater, the fee is \$39 for operating on inland waters of  
4 the State and \$29 for operating only on tidal waters of the State.

5 **Sec. 4. 12 MRSA §13058, sub-§1**, as amended by PL 2005, c. 477, §25, is  
6 further amended to read:

7 **1. Prohibition.** A person exempt from the certificate of number requirement  
8 pursuant to section 13056, subsection 2, paragraph B may not place or operate a  
9 motorboat or personal watercraft on the inland waters of the State unless a valid lake and  
10 river protection sticker issued annually under subsection 3 is permanently affixed to each  
11 side of the bow above the water line and approximately 3 inches behind the validation  
12 sticker required under section 13056. This sticker is nontransferable.

13 **Sec. 5. 12 MRSA §13058, sub-§3**, as affected by PL 2003, c. 614, §9 and  
14 amended by c. 655, Pt. B, §364 and affected by §422, is further amended to read:

15 **3. Lake and river protection sticker; fee.** No later than January 1st of each year,  
16 the commissioner shall provide each agent authorized to register watercraft or issue  
17 licenses with a sufficient quantity of lake and river protection stickers for motorboats and  
18 personal watercraft not registered in the State for that boating season. The sticker must  
19 be in 2 parts so that one part of the sticker can be affixed to each side of the bow of a  
20 motorboat or personal watercraft not registered in the State. The fee for a sticker is \$20  
21 for a motorboat or personal watercraft not registered in the State ~~and \$10 for a motorboat~~  
22 ~~or personal watercraft registered in the State~~. Each agent shall retain \$1 for each sticker  
23 sold by that agent for which a fee is required. A motorboat or a personal watercraft  
24 owned by the Federal Government, a state government or a municipality is exempt from  
25 the fee established in this subsection.

## 26 SUMMARY

27 This bill incorporates the existing lake and river protection sticker fee for Maine  
28 registered boats, \$10, with the watercraft registration fee. This eliminates the need for  
29 producing and administering a lake and river protection sticker for Maine-registered  
30 watercraft. It revises the watercraft registration fee structure to include the \$10 lake and  
31 river protection fee for watercraft operating on inland waters of the State. It revises the  
32 existing lake and river protection sticker requirement to require that only watercraft  
33 registered outside Maine display a current lake and river protection sticker.