

MAINE STATE LEGISLATURE

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125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 1019

H.P. 755

House of Representatives, March 10, 2011

**An Act To Make Changes to the Allocation of Revenue from
Watercraft Registration**

Reference to the Committee on Inland Fisheries and Wildlife suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Clerk

Presented by Representative PARRY of Arundel.
Cosponsored by Senator SNOWE-MELLO of Androscoggin and
Representatives: BELIVEAU of Kittery, HARVELL of Farmington, KRUGER of Thomaston,
LIBBY of Waterboro, MacDONALD of Boothbay, OLSEN of Phippsburg, PRESCOTT of
Topsham, WEAVER of York.

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

2 **Sec. 1. 12 MRSA §10206, sub-§3**, as amended by PL 2009, c. 652, Pt. A, §15, is
3 further amended to read:

4 **3. Watercraft revenues.** Except as provided in ~~subsection~~ subsections 6 and 11, all
5 revenues collected under the provisions of this Part relating to watercraft, including
6 chapter 935, are disposed of as follows.

7 A. All fees collected for certificates, licenses and permits by the commissioner are
8 paid daily to the Treasurer of State and accrue as undedicated revenue to the General
9 Fund and as dedicated revenue to the Department of Marine Resources in accordance
10 with paragraph C.

11 B. Each court shall pay all fines, forfeitures and penalties collected for violations of
12 the provisions of this Part relating to watercraft, including chapter 935, and all
13 officers' costs collected for either coastal wardens or game wardens to the Treasurer
14 of State, monthly, and that money accrues as undedicated revenue to the General
15 Fund, except that all fines, forfeitures and penalties collected as a result of the efforts
16 of municipal law enforcement officers or harbor masters enforcing the provisions of
17 this Part relating to watercraft, including chapter 935, in their respective jurisdictions
18 are paid to that municipality for the local enforcement efforts. The department shall
19 record as dedicated revenue to the Department of Marine Resources that portion of
20 fines, forfeitures and penalties allocable to the Department of Marine Resources in
21 accordance with paragraph C.

22 C. All revenues collected under the provisions of this Part relating to watercraft,
23 including chapter 935, including fines, fees and other available money deposited with
24 the Treasurer of State, must be distributed as undedicated revenue to the General
25 Fund and the Department of Marine Resources according to an allocation rate that
26 directly relates to the administrative costs of the Division of Licensing, Registration
27 and Engineering. Eight dollars of each motorized watercraft registration is dedicated
28 to the Department of Inland Fisheries and Wildlife and is not subject to the split with
29 another agency as required under this paragraph. The Legislature shall appropriate to
30 the department in each fiscal year an amount equal to the administrative costs
31 incurred by the department in collecting revenue under this subsection. Those costs
32 must be verified by the Department of Marine Resources and the Department of
33 Administrative and Financial Services. The allocation rate must also allow for any
34 necessary year-end reconciliation and accounting distribution. The allocation rate
35 must be jointly agreed to by the department and the Department of Marine Resources
36 and approved by the Department of Administrative and Financial Services, Bureau of
37 the Budget.

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

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

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

3 **Sec. 2. 12 MRSA §10206, sub-§11** is enacted to read:

4 **11. Increase in watercraft revenues.** Five dollars of the fees collected by the
5 commissioner for certificates as set out in section 13056, subsection 8, paragraphs A and
6 B for watercraft operating on inland waters of the State must be paid daily to the
7 Treasurer of State and credited evenly between the department and the Department of
8 Marine Resources.

9 **SUMMARY**

10 This bill requires that the money collected from the increase in fees pursuant to
11 Public Law 2009, chapter 213, Part OO, sections 14 and 15 for certificates for watercraft
12 must be credited evenly between the Department of Inland Fisheries and Wildlife and the
13 Department of Marine Resources.