

# MAINE STATE LEGISLATURE

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Date: 3-26-14

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
126TH LEGISLATURE  
SECOND REGULAR SESSION

HOUSE AMENDMENT "C" to COMMITTEE AMENDMENT "A" to H.P. 1198, L.D. 1626, Bill, "An Act To Leverage Expert, State-based Resources for Emergent Intervention and Long-term Comprehensive Resource Protection of Lakes"

Amend the amendment by striking out all of the 2nd indented paragraph after the title (page 1, lines 14 and 15 in amendment) and inserting in its place the following:

'Amend the bill in the emergency preamble by striking out all of the 5th Whereas paragraph (page 1, lines 10 and 11 in L.D.)

Amend the bill by striking out everything after the enacting clause and before the emergency clause and inserting the following:

Amend the amendment by striking out all of the enacting clause (page 1, line 16 in amendment)

Amend the amendment in section 1 in paragraph C by striking out all of the blocked paragraph and subparagraphs (1) and (2) (page 1, lines 34 to 36 and page 2, lines 1 to 8 in amendment) and inserting the following:

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

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

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

Amend the amendment by striking out all of sections 3 to 5 and inserting the following:

'Sec. 3. 12 MRSA §13058, sub-§3, as amended by PL 2009, c. 213, Pt. OO, §17, is repealed and the following enacted in its place:

3. Nonresident motorboat and personal watercraft lake and river protection sticker and resident and nonresident seaplane lake and river protection sticker; fee.

1 No later than January 1st of each year, the commissioner shall provide the agents  
2 authorized to register watercraft or issue licenses with a sufficient quantity of lake and  
3 river protection stickers for motorboats and personal watercraft not registered in the State  
4 and for all seaplanes, whether or not registered in the State, for that boating season. The  
5 sticker must be in 2 parts so that one part of the sticker can be affixed to each side of the  
6 bow of a motorboat or personal watercraft or to each outside edge of a seaplane's  
7 pontoons. The fee for a sticker issued under this subsection is \$20, \$1 of which is  
8 retained by the agent who sold the sticker.

9 The remainder of the fee is disposed as follows:

10 A. Eighty percent must be credited to the Invasive Aquatic Plant and Nuisance  
11 Species Fund; and

12 B. Twenty percent must be credited to the Lake and River Protection Fund  
13 established within the department under section 10257.

14 A motorboat, personal watercraft or seaplane owned by the Federal Government, a state  
15 government or a municipality is exempt from the fee established in this subsection.'

16 Amend the amendment in section 6 in §1863 in the last line (page 3, line 36 in  
17 amendment) by inserting after the following: "species." the following: 'The commissioner  
18 shall use at least 20% of the money in the fund for eradication activities.'

19 Amend the amendment by striking out all of sections 7 and 8 and inserting the  
20 following:

21 **'Sec. 7. Transfer; Inland Fisheries and Wildlife carrying account.**  
22 Notwithstanding any other provision of law, the State Controller shall transfer \$46,000 by  
23 May 1, 2014 and \$225,400 by July 10, 2015 from the Inland Fisheries and Wildlife  
24 carrying account, General Fund account within the Department of Inland Fisheries and  
25 Wildlife to the Lake and River Protection Fund within the Department of Inland Fisheries  
26 and Wildlife.

27 **Sec. 8. Appropriations and allocations.** The following appropriations and  
28 allocations are made.

29 **ENVIRONMENTAL PROTECTION, DEPARTMENT OF**

30 **Land and Water Quality 0248**

31 Initiative: Allocates funds from an increased percentage of fees from 60% to 80% on  
32 certificates for watercraft operation on inland waters and lake and river protection  
33 stickers.

34	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2013-14</b>	<b>2014-15</b>
35	All Other	\$46,000	\$225,400
36			
37	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$46,000</u>	<u>\$225,400</u>
38			

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

**SUMMARY**

This amendment retains the emergency preamble and emergency clause in the bill. It removes from Committee Amendment "A" the provisions that increase fees for watercraft operating on the inland waters of the State and for lake and river protection stickers. It increases from 60% to 80% the percentage of these fees dedicated to the Invasive Aquatic Plant and Nuisance Species Fund in the Department of Environmental Protection and reduces from 40% to 20% the percentage of these fees dedicated to the Lake and River Protection Fund in the Department of Inland Fisheries and Wildlife. It requires the Commissioner of Environmental Protection to use at least 20% of the money in the Invasive Aquatic Plant and Nuisance Species Fund for eradication activities. It allocates funds from the Inland Fisheries and Wildlife Carrying Account, General Fund account within the Department of Inland Fisheries and Wildlife to the Lake and River Protection Fund in an amount equal to the reduction in funding to the Lake and River Protection Fund caused by the reduction in the percentage of fees dedicated to the fund for the current biennium.

**FISCAL NOTE REQUIRED**

(See attached)

SPONSORED BY: 

(Representative SHAW)

TOWN: Standish



# 126th MAINE LEGISLATURE

LD 1626

LR 2468(07)

## An Act To Leverage Expert, State-based Resources for Emergent Intervention and Long-term Comprehensive Resource Protection of Lakes

Fiscal Note for House Amendment *B* to Committee Amendment "A"

Sponsor: Rep. Shaw of Standish

Fiscal Note Required: Yes

### Fiscal Note

	FY 2013-14	FY 2014-15	Projections FY 2015-16	Projections FY 2016-17
<b>Appropriations/Allocations</b>				
Other Special Revenue Funds	\$46,000	(\$21,250)	(\$517,930)	(\$517,930)
<b>Revenue</b>				
Other Special Revenue Funds	\$0	(\$246,650)	(\$517,930)	(\$517,930)
<b>Transfers</b>				
Other Special Revenue Funds	\$46,000	\$225,400	\$0	\$0

### Fiscal Detail and Notes

The amendment eliminates the fee increases provided in the committee amendment. This amendment increases the percentage of fees credited to the Invasive Aquatic Plant and Nuisance Species Fund from watercraft operation on inland waters and lake and river protection stickers from 60% to 80%, an increase of \$225,400. It reduces the percentage of fees credited to the Lake and River Protection Fund from 40% to 20%, a decrease of \$225,400. This amendment transfers \$46,000 in fiscal year 2013-14 and \$225,400 in fiscal year 2014-15 from the Department of Inland Fisheries and Wildlife Carrying Account to the Lake and River Protection Fund to compensate for the percentage decrease. This amendment directs the Department of Environmental Protection to use at least 20% of the money in the Invasive Aquatic Plant and Nuisance Species Fund for eradication activities. The amendment eliminates the January 1, 2015 start date for this Act and it now takes effect immediately.