

# MAINE STATE LEGISLATURE

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L.D. 1342

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Date: 3/22/24

(Filing No. H-849)

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### INLAND FISHERIES AND WILDLIFE

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### STATE OF MAINE

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### HOUSE OF REPRESENTATIVES

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### 131ST LEGISLATURE

8

### SECOND REGULAR SESSION

9

COMMITTEE AMENDMENT "A" to H.P. 856, L.D. 1342, "An Act to Increase Funding for the Prevention and Control of Invasive Aquatic Species"

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

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'Sec. 1. 12 MRSA §10206, sub-§3, ¶C, as amended by PL 2019, c. 264, §1, is further amended to read:

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C. All revenues collected under the provisions of this Part relating to watercraft, including chapter 935, including fines, fees and other available money deposited with the Treasurer of State, must be distributed as undedicated revenue to the General Fund and the Department of Marine Resources according to a formula that is jointly agreed upon by the Commissioner of Inland Fisheries and Wildlife and the Commissioner of Marine Resources biannually that pays to the department the administrative costs of the Division of Licensing and Registration. The Legislature shall appropriate to the department in each fiscal year an amount equal to the administrative costs incurred by the department in collecting revenue under this subsection. Those costs must be verified by the Department of Marine Resources and the Department of Administrative and Financial Services. The remainder of revenues after reduction for administrative costs and after allowing for any necessary year-end reconciliation and accounting distribution must be allocated 75% to the department and 25% to the Department of Marine Resources and approved by the Department of Administrative and Financial Services, Bureau of the Budget.

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Prior to January 1, 2020, 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. Beginning January 1, 2020, the fees outlined in section 13056, subsection 8, paragraphs A and B for watercraft operating on inland waters of the State each include a \$15 fee for invasive species prevention and control. Beginning January 1, 2025, the fees outlined in section 13056, subsection 8, paragraphs A and B for watercraft operating on inland waters of the State each include a \$25 fee for invasive species prevention and control. Beginning January 1, 2028, the

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# COMMITTEE AMENDMENT

1 fees outlined in section 13056, subsection 8, paragraphs A and B for watercraft  
2 operating on inland waters of the State each include a \$35 fee for invasive species  
3 prevention and control. This fee is disposed of as follows:

4 (1) ~~Eighty percent~~ Prior to January 1, 2025, 80% must be credited to the Invasive  
5 Aquatic Plant and Nuisance Species Fund. Beginning January 1, 2025, 70% must  
6 be credited to the Invasive Aquatic Plant and Nuisance Species Fund; and

7 (2) ~~Twenty percent~~ Prior to January 1, 2025, 20% must be credited to the Lake  
8 and River Protection Fund established within the department under section 10257.  
9 Beginning January 1, 2025, 30% must be credited to the Lake and River Protection  
10 Fund.

11 **Sec. 2. 12 MRSA §13056, sub-§8, ¶A,** as amended by PL 2019, c. 264, §3, is  
12 further amended to read:

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

15 (1) Ten horsepower or less, prior to January 1, 2020 the fee is \$25 for operating  
16 on inland waters of the State and \$15 for operating only on tidal waters of the State.  
17 Beginning January 1, 2020, the fee under this subparagraph is \$30 for operating on  
18 inland waters of the State and \$15 for operating only on tidal waters of the State.  
19 Beginning January 1, 2025, the fee under this subparagraph is \$40 for operating on  
20 inland waters of the State and \$15 for operating only on tidal waters of the State.  
21 Beginning January 1, 2028, the fee under this subparagraph is \$50 for operating on  
22 inland waters of the State and \$15 for operating only on tidal waters of the State;

23 (2) Greater than 10 horsepower but not more than 50 horsepower, prior to January  
24 1, 2020 the fee is \$30 for operating on inland waters of the State and \$20 for  
25 operating only on tidal waters of the State. Beginning January 1, 2020, the fee  
26 under this subparagraph is \$35 for operating on inland waters of the State and \$20  
27 for operating only on tidal waters of the State. Beginning January 1, 2025, the fee  
28 under this subparagraph is \$45 for operating on inland waters of the State and \$20  
29 for operating only on tidal waters of the State. Beginning January 1, 2028, the fee  
30 under this subparagraph is \$55 for operating on inland waters of the State and \$20  
31 for operating only on tidal waters of the State; and

32 (3) Greater than 50 horsepower but not more than 115 horsepower, prior to January  
33 1, 2020 the fee is \$36 for operating on inland waters of the State and \$26 for  
34 operating only on tidal waters of the State. Beginning January 1, 2020, the fee  
35 under this subparagraph is \$41 for operating on inland waters of the State and \$26  
36 for operating only on tidal waters of the State. Beginning January 1, 2025, the fee  
37 under this subparagraph is \$51 for operating on inland waters of the State and \$26  
38 for operating only on tidal waters of the State. Beginning January 1, 2028, the fee  
39 under this subparagraph is \$61 for operating on inland waters of the State and \$26  
40 for operating only on tidal waters of the State.

41 **Sec. 3. 12 MRSA §13056, sub-§8, ¶B,** as amended by PL 2019, c. 264, §4, is  
42 further amended to read:

43 B. Prior to January 1, 2020, for a personal watercraft requiring or whose owner  
44 requests a certificate of number and watercraft equipped with a motor having a

1 manufacturer's horsepower rating of greater than 115 horsepower or greater, the fee is  
 2 \$44 for operating on inland waters of the State and \$34 for operating only on tidal  
 3 waters of the State. Beginning January 1, 2020, the fee under this paragraph is \$49 for  
 4 operating on inland waters of the State and \$34 for operating only on tidal waters of  
 5 the State. Beginning January 1, 2025, the fee under this paragraph is \$59 for operating  
 6 on inland waters of the State and \$34 for operating only on tidal waters of the State.  
 7 Beginning January 1, 2028, the fee under this paragraph is \$69 for operating on inland  
 8 waters of the State and \$34 for operating only on tidal waters of the State.

9 **Sec. 4. 12 MRSA §13058, sub-§3**, as amended by PL 2019, c. 264, §5, is further  
 10 amended to read:

11 **3. Nonresident motorboat and personal watercraft lake and river protection**  
 12 **sticker and resident and nonresident seaplane lake and river protection sticker; fee.**  
 13 No later than January 1st of each year, the commissioner shall provide the agents authorized  
 14 to register watercraft or issue licenses with a sufficient quantity of lake and river protection  
 15 stickers for motorboats and personal watercraft not registered in the State and for all  
 16 seaplanes, whether or not registered in the State, for that boating season. The sticker must  
 17 be in 2 parts so that one part of the sticker can be affixed to each side of the bow of a  
 18 motorboat or personal watercraft or to each outside edge of a seaplane's pontoons. Prior to  
 19 January 1, 2020, the fee for a sticker issued under this subsection is \$20, \$1 of which is  
 20 retained by the agent who sold the sticker. Beginning January 1, 2020, the fee for a sticker  
 21 issued under this subsection is \$35, \$1 of which is retained by the agent who sold the  
 22 sticker. Beginning January 1, 2022, the fee for a sticker issued under this subsection is  
 23 \$45, \$1 of which is retained by the agent who sold the sticker. Beginning January 1, 2025,  
 24 the fee for a sticker issued under this subsection is \$60, \$1 of which is retained by the agent  
 25 who sold the sticker. Beginning January 1, 2028, the fee for a sticker issued under this  
 26 subsection is \$75, \$1 of which is retained by the agent who sold the sticker.

27 The remainder of the fee is disposed of as follows:

28 A. ~~Eighty percent~~ Prior to January 1, 2025, 80% must be credited to the Invasive  
 29 Aquatic Plant and Nuisance Species Fund. Beginning January 1, 2025, 70% must be  
 30 credited to the Invasive Aquatic Plant and Nuisance Species Fund; and

31 B. ~~Twenty percent~~ Prior to January 1, 2025, 20% must be credited to the Lake and  
 32 River Protection Fund established within the department under section 10257.  
 33 Beginning January 1, 2025, 30% must be credited to the Lake and River Protection  
 34 Fund.

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

37 **Sec. 5. Appropriations and allocations.** The following appropriations and  
 38 allocations are made.

39 **ENVIRONMENTAL PROTECTION, DEPARTMENT OF**  
 40 **Water Quality 0248**

41 Initiative: Provides allocations for costs related to conducting inspections and invasive  
 42 aquatic plant prevention, for containment, eradication and management activities and to  
 43 contract with municipalities or other entities to conduct inspection, prevention or

1 eradication programs to protect the inland waters of the State from invasive aquatic plant  
2 and nuisance species.

3	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2023-24</b>	<b>2024-25</b>
4	All Other	\$0	\$628,342
5			
6	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>\$628,342</u>

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8 **ENVIRONMENTAL PROTECTION,**  
9 **DEPARTMENT OF**  
10 **DEPARTMENT TOTALS**

11		<b>2023-24</b>	<b>2024-25</b>
12	<b>OTHER SPECIAL REVENUE FUNDS</b>	\$0	\$628,342
13			
14	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u>\$0</u>	<u>\$628,342</u>

15 **INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF**

16 **Enforcement Operations - Inland Fisheries and Wildlife 0537**

17 Initiative: Provides allocations for enforcing laws pertaining to invasive aquatic plants and  
18 nuisance species, for inspecting watercraft for invasive aquatic plant and nuisance species  
19 materials and for educational and informational efforts targeted at invasive aquatic plant  
20 and nuisance species prevention, eradication and management activities and the production  
21 and distribution of lake and river protection stickers.

22	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2023-24</b>	<b>2024-25</b>
23	All Other	\$0	\$533,345
24			
25	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>\$533,345</u>

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27 **INLAND FISHERIES AND WILDLIFE,**  
28 **DEPARTMENT OF**  
29 **DEPARTMENT TOTALS**

30		<b>2023-24</b>	<b>2024-25</b>
31	<b>OTHER SPECIAL REVENUE FUNDS</b>	\$0	\$533,345
32			
33	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u>\$0</u>	<u>\$533,345</u>

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35 **SECTION TOTALS**

36		<b>2023-24</b>	<b>2024-25</b>
37	<b>OTHER SPECIAL REVENUE FUNDS</b>	\$0	\$1,161,687
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39	<b>SECTION TOTAL - ALL FUNDS</b>	<u>\$0</u>	<u>\$1,161,687</u>

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

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**SUMMARY**

This amendment, which replaces the bill, increases the fees for new or renewal certificates of number for resident motorboats and personal watercraft and the fees for lake and river protection stickers for all motorboats and personal watercraft not registered in the State and for seaplanes operating on inland waters of the State. Beginning January 1, 2025, the fees for certificates of number are increased by \$10 and the fees for lake and river protection stickers are increased by \$15 and, beginning January 1, 2028, the fees are increased by an additional \$10 for certificates of number and by an additional \$15 for lake and river protection stickers. The amendment also makes a change to how fees are allocated so that, beginning January 1, 2025, 70% of fees are credited to the Invasive Aquatic Plant and Nuisance Species Fund, rather than 80% as in current law, and 30% of fees, rather than 20% as in current law, are credited to the Lake and River Protection Fund.

**FISCAL NOTE REQUIRED**

(See attached)



# 131st MAINE LEGISLATURE

LD 1342

LR 552(02)

## An Act to Increase Funding for the Prevention and Control of Invasive Aquatic Species

Fiscal Note for Bill as Amended by Committee Amendment "A" (H - 849)

Committee: Inland Fisheries and Wildlife

Fiscal Note Required: Yes

### Fiscal Note

	FY 2023-24	FY 2024-25	Projections FY 2025-26	Projections FY 2026-27
<b>Appropriations/Allocations</b>				
Other Special Revenue Funds	\$0	\$1,161,687	\$1,161,687	\$1,161,687
<b>Revenue</b>				
Other Special Revenue Funds	\$0	\$1,161,687	\$1,161,687	\$1,161,6

### Fiscal Detail and Notes

Beginning January 1, 2025, this bill increases the portion of the fees paid when registering watercraft for operating on the inland waters of the State from \$15 to \$25 for invasive species prevention and control. The bill also increases the fee paid for lake and river protection stickers required for nonresident motorboats, personal watercraft and seaplanes operating on inland waters of the State from \$45 to \$60. Beginning January 1, 2028, these fees increase from \$25 to \$35 for resident and from \$60 to \$75 for nonresidents. The bill also changes references in statute so that all revenues from the sale of lake and river protection stickers are divided 70% to the Invasive Aquatic Plant and Nuisance Species Fund within the Department of Environmental Protection (DEP) and 30% to the Lake and River Protection Fund within the Department of Inland Fisheries and Wildlife (IFW).

The increased invasive species prevention and control fees will generate revenue of \$533,345 for the IFW and \$628,342 for the DEP for the fiscal years 2024-25 through 2026-27. These amounts will increase again as the new higher prices come into effect in fiscal year 2027-28. This estimate was generated by using the average number of registrations and annual revenues to both funds. The bill includes allocations of those amounts to the IFW and the DEP to allow expenditure of the additional revenue.