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Date: (Filing No. H- )

**TRANSPORTATION**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
131ST LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 749, L.D. 1177, “An Act to Assess a Slip Fee on Megayachts Registered in Overseas Tax Havens”

Amend the bill by striking out the title and substituting the following:

**'An Act to Assess an Impact Fee on Megayachts'**

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

**'Sec. 1. 38 MRSA §14** is enacted to read:

**§14. Impact fee; megayachts**

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

- A. "Department" means the Department of Environmental Protection.
- B. "Fund" means the Megayacht Fund established in subsection 3.
- C. "Megayacht" means a privately owned pleasure vessel owned by an individual or a corporation and measuring at least 150 feet in overall length. "Megayacht" does not include a commercial fishing vessel, a commercial cruise vessel with more than 20 passengers not including crew, a commercial scientific research vessel, a marine salvage or construction equipment vessel, a commercial freight carrying vessel, a vessel built before 1950, a vessel made primarily of wood, a military vessel or a vessel owned by an academic institution.
- D. "Slip" means a dock, mooring, finger float, pier or any other marine infrastructure that allows for vessels to securely stay for a period of longer than 8 hours.

**2. Impact fee.** If a municipality collects slip fees, the municipality shall require the owner of a megayacht to pay an impact fee of \$10 per foot of length over 150 feet for each day up to 30 consecutive days that the megayacht is secured to a slip with respect to which the municipality collects a slip fee. The municipality may retain 10% of all impact fees collected pursuant to this subsection and shall quarterly transmit the remainder of those

**COMMITTEE AMENDMENT**

1 impact fees to the Treasurer of State for deposit in the fund. The department may adopt  
2 rules to implement this subsection. Rules adopted under this subsection are routine  
3 technical rules as defined in Title 5, chapter 375, subchapter 2-A.

4 **3. Megayacht Fund established.** The Megayacht Fund is established within the  
5 department to receive impact fees assessed and collected under subsection 2. The  
6 department, in accordance with procedures and criteria established by the department by  
7 rule, shall quarterly disburse the impact fees within the fund as follows:

8 A. Fifty percent of funds to municipalities to support harbor infrastructure and sea level  
9 rise mitigation infrastructure; and

10 B. Fifty percent of funds to support public transit infrastructure, including ferries and  
11 land-based public transportation.

12 Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter  
13 375, subchapter 2-A.

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

16 **ENVIRONMENTAL PROTECTION, DEPARTMENT OF**  
17 **Megayacht Fund N459**

18 Initiative: Provides baseline allocations to establish the program.

19 <b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2023-24</b>	<b>2024-25</b>
20 All Other	\$500	\$500
21		
22 OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$500</u>	<u>\$500</u>

23 '  
24 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
25 number to read consecutively.

26 **SUMMARY**

27 This amendment replaces the bill and changes the title. The amendment removes the  
28 requirement in the bill that only megayachts registered in overseas tax havens are subject  
29 to a fee and instead provides that any vessel that meets the definition of "megayacht" is  
30 subject to the fee. The amendment changes the definition of "megayacht" to include a vessel  
31 that is at least 150 feet in length. The amendment provides that vessels built before 1950,  
32 vessels made primarily of wood, military vessels and vessels owned by an academic  
33 institution are not included in the definition of "megayacht." It changes the term "slip fee"  
34 to "impact fee." It caps the amount of days that a megayacht must pay the impact fee to 30  
35 consecutive days. It allows the Department of Environmental Protection to adopt rules to  
36 implement the impact fee. It replaces the purposes for which disbursements must be made  
37 from the Megayacht Fund to require that 50% of funds support harbor infrastructure and  
38 sea level rise mitigation infrastructure and 50% of funds support public transit

1 infrastructure, including ferries and land-based public transportation. The amendment  
2 requires the department to adopt rules to administer the fund.

3

**FISCAL NOTE REQUIRED**

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**(See attached)**