



Maine Youth Camp Association

Testimony of the Maine Youth Camp Association

Presented to the
Joint Standing Committee on Inland Fisheries and Wildlife

Neither for nor against LD 693, An Act to Protect Inland Water Quality, Shorelines, Wildlife and Public Safety by Prohibiting Operation of a Wake Boat to Create an Enhanced Wake Close to Shore or in Shallow Water

Representative Walter Riseman

March 22, 2023

Senator LaFountain, Representative Landry and distinguished members of the Joint Standing Committee on Inland Fisheries and Wildlife. My name is Newell Augur. I am a resident of Yarmouth and a partner at Pierce Atwood, LLP. I appreciate the opportunity to testify on behalf of the Maine Youth Camp Association (“MYCA”), a State wide non-profit organization representing the nearly 150 Maine licensed youth camps neither for nor against LD 693, An Act to Protect Inland Water Quality, Shorelines, Wildlife and Public Safety by Prohibiting Operation of a Wake Boat to Create an Enhanced Wake Close to Shore or in Shallow Water.

Children’s camps are an important part of the fabric of our state, providing an outdoor educational experience for children from Maine, from across the country and around the world. Maine is the leader for children’s camping. The first camps were established here more than 100 years ago. Today, children’s camps in Maine serve an estimated 40,000 children annually, and about half of all camper days are filled by Maine children. The member camps of the MYCA employ approximately 1,170 year-round employees and 13,500 seasonal employees at a combined payroll of over \$50 million. They pay nearly \$10 million in income, sales and property taxes each year. In a normal season, Maine youth camps are responsible for approximately \$500 million of economic activity.

We support the broader goals of this legislation. As stewards of Maine’s environment, Maine youth camps want to ensure that the activities that take place on the lands and waters that sustain our business do not unnecessarily harm the environment. Our success is dependent upon that.

The majority of camps in Maine do not own wake surfing boats. There are approximately twenty camps that do. As with the operation of any boat at a licensed youth camp - whether it's a kayak, a canoe, a sailboat or motorized craft - the boat is used in a programmatic setting and under adult supervision.

This may be one of the principal reasons, based on our discussions with the sponsor of the bill and the stakeholders who support it, that the operation of wake surfing boats by licensed Maine youth camps is not the source of the issue this bill is intended to solve. Accordingly, in recognition of the unique nature of our operations we would propose to the Committee that the bill be amended to exempt Maine youth camps licensed by the Department of Health and Human Services. Given that the use of any boats at a camp takes place in a supervised, programmatic setting, we would support an amendment to the rules that govern the operation of youth camps (10-144 CMR 208) to address the broader concerns that the bill is targeting. A new section - 7.B.5.h. - can be proposed to be added to that rule to make specified safe-wake training a requirement for camps with staff operating motorized watercraft. The Department is opening a rulemaking process for this rule later this year.

This would be consistent with other instances where regulation of the activities of Maine camps is achieved through rulemaking specific to camps, instead of statute. Watercraft safety, which this Committee addressed last year, is addressed in Section 7 of Rule 208. Fire safety, which the Agriculture, Conservation and Forestry Committee addressed earlier this year in LD 24, is addressed in Section 8 of Rule 208. As part of its oversight, members of DHHS' Health Inspector Program (HIP) make regular inspection visits of Maine Youth Camps to ensure they are in compliance with these and other safety codes.

We would also note that while the purpose of this legislation has been represented to be the regulation of wake surfing boats - as set forth in the recent study by the University of Minnesota on which this proposal appears to be based - the bill as written captures boating activity that is much broader than that. There are any number of different reasons why a waterfront or boating director at a camp might add ballast bags or ballast tanks to a boat used in the normal course of waterfront activities that have nothing to do with 'wake surfing.'

Thank you for the opportunity to testify. I'd be happy to answer any questions and will be present for the work session.