

MAINE STATE LEGISLATURE

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R.O.S.

L.D. 647

DATE: 5-15-03

(Filing No. H-389)

MAJORITY
INLAND FISHERIES AND WILDLIFE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 477, L.D. 647, Bill, "An Act To Prohibit Personal Watercraft on Lake St. George in the Town of Liberty"

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

'An Act To Establish a Process To Review Requests for Regulating the Use of Watercraft on Great Ponds and To Prohibit the Use of Personal Watercraft on Lake St. George'

Further amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 12 MRSA §7800-B is enacted to read:

§7800-B. Recommendations for regulating use, operation and type of watercraft for great ponds within organized areas of State

1. Recommendations. A municipality, with the approval of its legislative body, or the Maine Land Use Regulation Commission, referred to as in this section "the commission," may submit recommendations to the commissioner for regulating the use, operation and type of watercraft on great ponds within the jurisdiction of that municipality or the commission. For great ponds that border more than one municipality, recommendations may be submitted only after approval by the legislative bodies of all municipalities in which those waters are located. For great ponds that border lands within the jurisdiction of the commission, the

COMMITTEE AMENDMENT

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2 approval of the commission is also required. In preparing
3 recommendations for such waters, a municipality or the commission
4 shall take into consideration the following:

- 5 A. The current and traditional uses of the water body;
- 6 B. The depth of the water and the amount of water-borne
7 traffic;
- 8 C. Wildlife habitat and other environmental values;
- 9 D. Noise levels and the safety of persons and property; and
- 10 E. Concerns unique to the affected communities, including,
11 but not limited to, access, land use and economic impact.

12 These recommendations may be submitted only after a public
13 hearing and must include a description of the resources the
14 municipality or municipalities will use to enforce those
15 regulations if enacted. The commission may submit
16 recommendations only after having held a public hearing near the
17 affected area or at the nearest municipality to the affected area.

18 2. Submitting recommendations to commissioner. When
19 submitting recommendations to the commissioner, the municipality
20 or the commission shall, at a minimum, submit detailed
21 information about the following:

- 22 A. Consideration of the items enumerated in subsection 1;
- 23 B. Plans for local enforcement efforts;
- 24 C. Public notice efforts taken by the municipality or the
25 commission;
- 26 D. The process used to make recommendations and the
27 decision by the local governing body; and
- 28 E. A discussion of alternatives considered, whether or not
29 those alternatives were incorporated into the final
30 recommendations.

31 A municipality or the commission must submit its recommendations
32 and supporting documentation to the commissioner no later than
33 October 31st of each year in order to be considered by the
34 Legislature during the following regular legislative session.

35 3. Commissioner evaluation. By January 15th of each year,
36 the commissioner shall submit to the joint standing committee of
37 the Legislature having jurisdiction over inland fisheries and
38 the

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2 wildlife matters recommendations submitted under this section
3 during the prior calendar year. Before submitting
4 recommendations to the Legislature, the commissioner shall assign
5 each recommendation to one of the following categories:

6 A. "Complete," which means that the recommendation meets
7 all the requirements of this section and provides specific
8 and detailed information about key elements of those
9 requirements;

10 B. "Generally complete," which means that the
11 recommendation meets all the requirements of this section
12 but is vague or silent on key elements of those
13 requirements; or

14 C. "Not complete," which means that the recommendation does
15 not meet all the requirements of this section.

16 The commissioner shall submit all recommendations and supporting
17 material as prescribed in this subsection.

18
19
20
21 **Sec. 2. 12 MRSA §7801, sub-§35, ¶¶EE and FF, as enacted by PL**
22 **2001, c. 638, §5, are amended to read:**

23
24 **EE. Middle Branch Pond in the Town of Waterboro in York**
25 **County; ~~or~~**

26
27 **FF. Highland Lake or Woods Pond in the Town of Bridgton in**
28 **Cumberland County if the personal watercraft is rented and**
29 **does not display a decal identifying the rental agency that**
30 **owns the personal watercraft; ~~or~~**

31
32 **Sec. 3. 12 MRSA §7801, sub-§35, ¶GG is enacted to read:**

33
34 **GG. Lake St. George in the Town of Liberty.**

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36
37
38 **SUMMARY**

39
40 This amendment replaces the bill and establishes a process
41 for the review of recommendations submitted by a municipality or
42 the Maine Land Use Regulation Commission to restrict the use of
43 watercraft on great ponds within the jurisdiction of that
44 municipality or the Maine Land Use Regulation Commission. This
45 amendment also prohibits the use of personal watercraft on Lake
46 St. George in the Town of Liberty.

47
48 **FISCAL NOTE REQUIRED**
49 **(See attached)**
50

**121st Maine Legislature
Office of Fiscal and Program Review**



LD 647

**An Act To Establish a Process to Review Requests for Regulating the Use
of Watercraft on Great Ponds and to Limit the Horse Power of
Watercraft on Lake St. George**

LR1130(03)

Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: Inland Fisheries and Wildlife

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund
Minor revenue increase - General Fund

Correctional and Judicial Impact Statements:

Establishes a new civil violation and Class E crime.