

# MAINE STATE LEGISLATURE

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Date: 6/4/15

L.D. 1225

(Filing No. H-307)

Majority

**INLAND FISHERIES AND WILDLIFE**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
127TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 843, L.D. 1225, Bill, "An Act To Limit the Use of Ropes and Buoys in Swim Areas in Great Ponds"

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

**'An Act Concerning Swim Area Permits'**

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

**Sec. 1. 12 MRSA §1896**, as amended by PL 2001, c. 693, §3 and affected by §11 and amended by PL 2011, c. 657, Pt. W, §7 and PL 2013, c. 405, Pt. A, §24, is further amended to read:

**§1896. Boating Facilities Fund**

There is created within the bureau the Boating Facilities Fund, referred to in this subchapter as the "fund." The fund, as funded under Title 36, section 2903-D, subsection 1, must be available to the director in carrying out the duties of the bureau under this subchapter. This fund is a continuous carrying account. The fund also receives fees collected under subchapter 10 and is available to the director in carrying out the duties specified under subchapter 10.

**Sec. 2. 12 MRSA §1900, sub-§§3 to 5**, as enacted by PL 2009, c. 312, §1, are amended to read:

**3. Swim area prohibition.** A person may not establish or maintain a swim line or a developed swim area without a permit issued under subsection 4.

~~A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 or more than \$500 may be adjudged. Each day a person violates this subsection is a separate violation.~~

~~B. A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this subchapter within the previous 5-year period commits a Class E crime.~~

**COMMITTEE AMENDMENT**



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4. Provides that permit fee revenues go into the Boating Facilities Fund and may be used in administering the swim area law; and

5. Provides that a permit for a swim line or a developed swim area may be issued only if the swim line or developed swim area is designed solely to provide recreational swimming opportunities for the public. If the director determines, after notice and opportunity for hearing, that a swim line or a developed swim area is being used for purposes other than to provide recreational swimming opportunities for the public, the director may revoke the permit.

**FISCAL NOTE REQUIRED**  
(See attached)



# 127th MAINE LEGISLATURE

LD 1225

LR 1902(02)

**An Act To Limit the Use of Ropes and Buoys in Swim Areas in Great Ponds**

Fiscal Note for Bill as Amended by Committee Amendment *A (H-307)*  
Committee: Inland Fisheries and Wildlife  
Fiscal Note Required: Yes

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## Fiscal Note

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

### Correctional and Judicial Impact Statements

Net increase in the number of civil violations.

The collection of additional fines may also increase General Fund revenue by minor amounts.