

MAINE STATE LEGISLATURE

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(New Draft of S.P. 188, L.D. 515)
FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 1437

S.P. 474

In Senate, May 6, 1987

Reported by Senator Erwin of Oxford for the Committee on Fisheries and Wildlife and printed under Joint Rule 2. Original Bill sponsored by Senator Cahill of Sagadahoc. Cosponsored by: Senator Ludwig of Aroostook, Representative Holloway of Edgecomb, Representative Coles of Harpswell.

JOY J. O'BRIEN, Secretary of the Senate

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 **AN ACT to Regulate Motor Vehicles on Lakes,**
2 **Ponds or Reservoirs Used to Supply**
3 **Drinking Water.**
4

5 Be it enacted by the People of the State of Maine as
6 follows:

7 Sec. 1. 22 MRS A §2649 is enacted to read:

8 §2649. Protection of public water supplies over win-
9 ter

10 1. Petition for rules. Any water utility, water
11 district or municipality which relies on surface wa-
12 ter for its water supply may petition the Commission-
13 er of Inland Fisheries and Wildlife to promulgate

1 rules to regulate the size and range of motor vehi-
2 cles which may be permitted on the ice of any reser-
3 voir or surface water which is used as a public water
4 supply. The petitioner must supply the technical in-
5 formation in support of the decision. The commis-
6 sioner shall promulgate only such rules as are rea-
7 sonable and necessary to protect the public water
8 supply. These rules shall be promulgated in accord-
9 ance with the Maine Administrative Procedure Act, Ti-
10 tle 5, chapter 375, after a public hearing in the af-
11 fected area.

12 2. Existing rules. Any rules that are adopted
13 must be at least as strict as those already in exis-
14 tence for that body of water. Nothing in this sec-
15 tion may be construed to limit in any way any private
16 and special law granting a water utility or munici-
17 pality greater control for protecting its public wa-
18 ter supply than those set forth in this section.

19 3. Violation. Any violation of the rules
20 promulgated under this section is a civil violation
21 for which a forfeiture of not more than \$100 may be
22 adjudged for each violation.

23 Sec. 2. Allocation. The following funds are al-
24 located from Dedicated Revenues of the Department of
25 Inland Fisheries and Wildlife to carry out the pur-
26 poses of this Act.

	<u>1987-88</u>	<u>1988-89</u>
27		
28	<u>INLAND FISHERIES AND</u>	
29	<u>WILDLIFE, DEPARTMENT OF</u>	
30	Office of the Commis-	
31	sioner	
32	All Other	\$1,200 \$1,200
33	This allocation	
34	provides funds for	
35	anticipated ex-	
36	penses related to	
37	the promulgation	
38	of rules.	

STATEMENT OF FACT

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This bill sets up a mechanism for water districts, water utilities and municipalities to petition the Commissioner of Inland Fisheries and Wildlife to regulate vehicular traffic on water supplies during the winter. These rules are required to be as stringent as any now in effect. The bill also establishes a penalty for violating these rules.

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