

MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 2027

S.P. 770 In Senate, January 13, 1988
Approved for Introduction by a Majority of the Legislative
Council pursuant to Joint Rule 26.
Reference to the Committee on State and Local Government
suggested and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator BLACK of Cumberland.

Cosponsored by Representative SIMPSON of Casco,
Representative GREENLAW of Standish.

STATE OF MAINE

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

AN ACT to Provide for Local Control of
Watercraft Traffic.

1
2
3

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

6 38 MRSA §286 is enacted to read:

7 §286. Municipal regulation

1 With the approval of those specific ordinances by
2 the Department of Inland Fisheries and Wildlife or the
3 Department of Marine Resources, as appropriate, a
4 municipality may pass ordinances dealing with the
5 speed and operation of watercraft on waters within its
6 boundaries. If the department involved has not
7 rendered a decision on a proposed ordinance within 45
8 days of submission, the municipality may consider it
9 approved as submitted.

10 If a proposed municipal ordinance is in direct
11 conflict with a federal or state law, rule or
12 regulation, the more restrictive law, rule, regulation
13 or ordinance shall prevail. If this cannot be
14 determined, federal regulations and state rules, in
15 that order, shall prevail over municipal ordinances.

16 Every law enforcement officer in the State shall
17 have authority to enforce these municipal ordinances.
18 However, the responsibility for their enforcement
19 shall rest with the municipality which enacted them.

20 STATEMENT OF FACT

21 This bill gives municipalities the authority to
22 pass regulations that govern the operation of
23 watercraft on waters within their boundaries. This
24 permission is subject to the approval of the state
25 agency having jurisdiction over the waters in
26 question. The responsibility for enforcing any such
27 regulation is to rest with the municipality that
28 passes them. However, any law enforcement officer is
29 to have the authority to enforce these ordinances.

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