



118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 80

H.P. 55

House of Representatives, January 9, 1997

An Act to Protect Internal Waters of the State.

Reference to the Committee on Inland Fisheries and Wildlife suggested and ordered printed.

JOSEPH W. MAYO, Clerk

Presented by Representative PAUL of Sanford. Cosponsored by Representatives: BUNKER of Kossuth Township, CHICK of Lebanon, FISHER of Brewer, O'NEAL of Limestone, SHIAH of Bowdoinham, TUTTLE of Sanford, VIGUE of Winslow, WHEELER of Bridgewater.

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

Sec. 1. 12 MRSA §7792, sub-§4, as amended by PL 1993, c. 349, \S 28, is further amended to read:

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6 4. Horsepower. Rules governing the horsepower of motors used to propel watercraft on all internal waters of this State. 8 In promulgating these rules, the commissioner shall take into consideration the area of the internal waters, the use to which 10 the internal waters are put, wildlife habitat, boat speed, environmental concerns, traditional uses on those waters and the depth of the water and the amount of water-borne traffic upon the 12 waters and determine whether or not the rule is necessary to insure ensure the safety of persons and property. The adoption 14 rules under this subsection is governed by the Maine of Administrative Procedure Act, Title 5, Part 18, except that such 16rules may be only adopted as a result of a petition from the municipal officers of the municipality or municipalities in which 18 the waters exist or from 25 citizens of the municipalities in which the waters exist, by county commissioners of the county in 20 which the waters exist if they are located in unorganized territory or 25 citizens of the unorganized territory in which 22 the waters exist, requesting the issuance of such a rule for a particular body of internal water and stating the proposed 24 horsepower limitation;

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SUMMARY

30 This bill adds the criteria of environmental concerns, wildlife habitat, boat speed and traditional uses to the criteria 32 that must be considered by the Commissioner of Inland Fisheries and Wildlife in developing rules governing the horsepower of 34 motorboats on inland waters.

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