

MAINE STATE LEGISLATURE

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R.S.

L.D. 519

DATE: 5-6-97

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MAJORITY
INLAND FISHERIES AND WILDLIFE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 374, L.D. 519, Bill, "An Act to Promote Water Skiing in the State"

Amend the bill by striking out everything after the title and before the summary and inserting in its place the following:

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, these changes to the laws pertaining to water-skiing events must take effect prior to the start of the water-skiing season; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 12 MRSA §7802, sub-§3 is enacted to read:

3. Sanctioned water-skiing courses. The prohibition in subsection 1 does not apply to watercraft towing a water-skier on a water-skiing course for slalom, jump or trick events operated under a permit issued by the commissioner under this subsection. The commissioner may issue a permit for a water-skiing course that is located in whole or in part in the water safety zone if the commissioner determines that:

A. The course meets the following minimum dimensional requirements:

COMMITTEE AMENDMENT

2 (1) Eight hundred and fifty feet in length, plus 500
3 feet at each end for turning and other maneuvers;

4 (2) Seventy-five feet in width, except that the course
5 must be at least 125 feet in width if a jump is
6 combined with a slalom or trick ski course; and

7 (3) A five-foot water depth throughout the course; and

8 B. The applicant has obtained the written permission of any
9 landowner whose property is less than 75 feet from any
10 course buoy.

11 All buoys used to mark the water-skiing course must prominently
12 display the permit number. Buoys marking a course may be placed
13 no earlier than April 1st and must be removed no later than
14 November 1st of each year. The number of buoys for any
15 water-skiing course may not exceed 40. Buoys that are part of a
16 permitted course are granted the same legal protection from
17 vandalism as navigational buoys under Title 38, section 329.

18 Water-skiing tow boats utilizing the course may not travel within
19 100 feet of the shore at any time. The commissioner, after
20 giving a 10-day advance notice to an applicant, may suspend the
21 use of the water-skiing course for up to 3 days for other
22 permitted events, such as bass tournaments.

23 A course permitted under this subsection may be used for practice
24 without a permit under section 7797. That use does not violate
25 the provisions of section 7801, subsection 4. A permit under
26 section 7797 is required for any water-skiing exhibition or
27 tournament conducted at a course permitted under this
28 subsection. The provisions of section 7801, subsection 5 do not
29 apply to a course permitted under this subsection unless that
30 course is also permitted under section 7797.

31 The commissioner may suspend or revoke a permit issued under this
32 subsection if the commissioner determines that the presence of
33 the course creates a safety concern or constitutes a nuisance.

34 The annual fee for a permit issued under this subsection is \$25.

35 This subsection is repealed March 31, 1999.

36 Emergency clause. In view of the emergency cited in the
37 preamble, this Act takes effect when approved.'

38 Further amend the bill by inserting at the end before the
39 summary the following:
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4 **FISCAL NOTE**

5 The authorization of a new permit for water-skiing courses
6 will result in insignificant increases of General Fund revenue
7 collected by the Department of Inland Fisheries and Wildlife from
8 permit fees.'

9
10 **SUMMARY**

11 This amendment replaces the bill and makes the bill an
12 emergency.

13 The amendment authorizes the Commissioner of Inland
14 Fisheries and Wildlife to permit a water-skiing course within the
15 water safety zone. The water safety zone includes all inland
16 waters within 200 feet of any shoreline of the mainland or an
17 island.

18
19 Boats using a permitted water-skiing course, either for
20 practice or during an exhibition, are allowed to operate at
21 greater than headway speed within the water safety zone. The
22 annual fee for a permit is \$25.

23
24 The amendment requires that an applicant obtain the
25 permission of all property owners within 75 feet of any buoy
26 associated with the water-skiing course as a condition of
27 obtaining a permit. The amendment also specifies certain
28 dimensional and other safety requirements that apply to any
29 course permitted by the commissioner.

30
31 The amendment includes a provision that repeals the
32 permitting authority on March 31, 1999.

33
34 The amendment adds a fiscal note to the bill.
35
36