

# MAINE STATE LEGISLATURE

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R. d. S.

L.D. 1730

DATE: 4-1-98

(Filing No. H-1139)

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
118TH LEGISLATURE  
SECOND REGULAR SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "B" to S.P. 573, L.D. 1730, Bill, "An Act to Implement the Recommendations of the Great Pond Task Force"

Amend the amendment by inserting after section 5 the following:

**Sec. 6. Watercraft on great ponds**

**1. Great ponds entirely within the jurisdiction of LURC.** No later than January 15, 1999, the Maine Land Use Regulation Commission and the Commissioner of Inland Fisheries and Wildlife shall submit to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters recommendations for regulating horsepower, use, operation, noise level or type of watercraft on all great ponds wholly within the jurisdiction of the Maine Land Use Regulation Commission.

**2. Great ponds partly within one or more municipalities and partly within the unorganized territories.** For great ponds partly within one or more municipalities and partly within the unorganized territories, the Maine Land Use Regulation Commission and the municipality or municipalities in which those waters are located may submit, by November 15, 1998, a request to the Commissioner of Inland Fisheries and Wildlife to regulate horsepower, use, operation, noise level or type of watercraft. Prior to filing a request pursuant to this subsection, a municipality must hold at least one public hearing. Municipalities submitting requests to the Commissioner of Inland Fisheries and Wildlife under this subsection shall include plans for local assistance in enforcement; or, in lieu of local

**HOUSE AMENDMENT**

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2 assistance, a municipality may submit to the commissioner a  
3 pledge of capital to assist the Department of Inland Fisheries  
4 and Wildlife in enforcing rules adopted pursuant to this  
5 subsection. No later than January 1, 1999, the Commissioner of  
6 Inland Fisheries and Wildlife shall submit to the joint standing  
7 committee of the Legislature having jurisdiction over inland  
8 fisheries and wildlife matters recommendations on requests  
9 received pursuant to this subsection.

10 **3. Great ponds located in other parts of the State.** For  
11 great ponds located in parts of the State not addressed by  
12 subsection 1 or 2, a request to the Commissioner of Inland  
13 Fisheries and Wildlife to regulate horsepower, use, operation,  
14 noise level or type of watercraft must be submitted by November  
15, 1998 in accordance with the following:

16 A. For great ponds entirely within one municipality, that  
17 municipality may submit the request;

18 B. For great ponds in more than one municipality, all  
19 municipalities in which those waters are located may submit  
20 the request;

21 C. For great ponds partly within one or more municipalities  
22 and partly within Acadia National Park, Acadia National Park  
23 and the municipality or municipalities in which those waters  
24 are located may submit the request; or

25 D. For great ponds entirely within Acadia National Park,  
26 Acadia National Park may submit the request.

27  
28 Prior to filing a request pursuant to this subsection, a  
29 municipality must hold at least one public hearing.  
30 Municipalities submitting requests to the Commissioner of Inland  
31 Fisheries and Wildlife under this subsection shall include plans  
32 for local assistance in enforcement; or, in lieu of local  
33 assistance, a municipality may submit to the Commissioner of  
34 Inland Fisheries and Wildlife a pledge of capital to assist the  
35 Department of Inland Fisheries and Wildlife in enforcing rules  
36 adopted pursuant to this subsection. No later than January 1,  
37 1999, the Commissioner of Inland Fisheries and Wildlife shall  
38 submit to the joint standing committee of the Legislature having  
39 jurisdiction over inland fisheries and wildlife matters  
40 recommendations on requests received pursuant to this subsection.'

41 **FISCAL NOTE**

42 The Department of Inland Fisheries and Wildlife will incur  
43 some minor additional costs to submit a required report to the  
44 Legislature pertaining to the regulation of watercraft on certain  
45

great ponds. These costs can be absorbed within the department's  
existing budgeted resources.

### SUMMARY

This amendment amends the law governing the use of  
watercraft on great ponds as follows.

1. For great ponds entirely within the jurisdiction of the  
Maine Land Use Regulation Commission, or "LURC," LURC and the  
Commissioner of Inland Fisheries and Wildlife are required to  
submit recommendations for regulating horsepower, use, operation,  
noise level or type of watercraft on great ponds.

2. For great ponds partly within one or more municipalities  
and partly within the unorganized territories, LURC and the  
municipalities in which those waters are located may submit a  
request to the Commissioner of Inland Fisheries and Wildlife to  
regulate horsepower, use, operation, noise level or type of  
watercraft. The commissioner is directed to submit to the joint  
standing committee of the Legislature having jurisdiction over  
inland fisheries and wildlife matters recommendations regarding  
such requests.

3. For great ponds located in other parts of the State, the  
municipality or Acadia National Park, depending on where the  
great pond is located, may submit a request to the Commissioner  
of Inland Fisheries and Wildlife to regulate horsepower, use,  
operation, noise level or type of watercraft. The commissioner  
is directed to submit to the joint standing committee of the  
Legislature having jurisdiction over inland fisheries and  
wildlife matters recommendations regarding such requests.

SPONSORED BY: Royce Perkins  
(Representative PERKINS)

TOWN: Penobscot