

MAINE STATE LEGISLATURE

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INLAND FISHERIES AND WILDLIFE

Reported by: *Report C*

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**STATE OF MAINE
SENATE
118TH LEGISLATURE
SECOND REGULAR SESSION**

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

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

Sec. 1. 12 MRSA §7792, sub-§4-A is enacted to read:

4-A. Horsepower; use; operation; noise level; type of watercraft. The commissioner may adopt rules to regulate the horsepower, use, operation, noise level or type of watercraft on great ponds if petitioned to do so:

A. For waters entirely within one municipality, by that municipality;

B. For waters in more than one municipality, by all the municipalities in which those waters are located;

C. For waters partly within one or more municipalities and partly within the unorganized territories, by the Maine Land Use Regulation Commission and the municipality or municipalities in which those waters are located;

D. For waters partly within one or more municipalities and partly within Acadia National Park, by Acadia National Park and the municipality or municipalities in which those waters are located; or

E. By Acadia National Park for waters entirely within the park.

2 Requests submitted to the commissioner under this subsection
3 must include plans for local assistance in enforcement.

4 **Sec. 2. Report.** The Commissioner of Inland Fisheries and
5 Wildlife and the Maine Land Use Regulation Commission shall
6 report to the Legislature no later than January 15, 1999 as to
7 the horsepower, use, operation, noise level and type of
8 watercraft on all great ponds. When preparing that report, the
9 commissioner and the commission shall consider traditional uses
10 and conservation efforts already in place.'

12 **Sec. 3. Appropriation.** The following funds are appropriated
13 from the General Fund to carry out the purposes of this Act.

14
15 **1998-99**

16 **INLAND FISHERIES AND WILDLIFE,**
17 **DEPARTMENT OF**

18 **Enforcement Operations - IF&W**

22 Personal Services \$49,950
23 All Other 35,631

24
25 Appropriates funds for the costs of holding
26 hearings, adopting rules and additional
27 enforcement costs pertaining to the use of
28 watercraft on certain great ponds.

30 **DEPARTMENT OF INLAND FISHERIES**
31 **AND WILDLIFE**
32 **TOTAL**

\$85,581'

34 Further amend the bill by inserting at the end before the
35 summary the following:

36

38 **FISCAL NOTE**

40 **1998-99**

42 **APPROPRIATIONS/ALLOCATIONS**

44 General Fund \$85,581

46

47 The Department of Inland Fisheries and Wildlife will require
48 an additional General Fund appropriation of \$85,581 in fiscal
year 1998-99 for the costs of holding certain hearings, adopting

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2 rules and additional enforcement costs pertaining to the use of
watercraft on certain great ponds. The estimated General Fund
4 appropriations required to fund the future costs will be
approximately \$185,631 annually beginning in fiscal year
1999-2000.

6
8 The Department of Conservation and the Department of Inland
Fisheries and Wildlife will incur some minor additional costs to
submit a proposal pertaining to the use of watercraft on great
10 ponds. These costs can be absorbed within the departments'
existing budgeted resources.

12
14 The additional workload and administrative costs associated
with the minimal number of new cases filed in the court system
can be absorbed within the budgeted resources of the Judicial
16 Department. The collection of additional fines may increase
General Fund revenue by minor amounts.'

18
20 **SUMMARY**

22 This amendment replaces the bill and is one of three
minority reports of the Joint Standing Committee on Inland
24 Fisheries and Wildlife.

26 The amendment allows the Commissioner of Inland Fisheries
and Wildlife to regulate the horsepower, use, operation, noise
28 level and type of watercraft on great ponds in the State if
petitioned to do so by the town or towns in which the waters are
30 located. If the waters are partly within a town and partly
within the unorganized territories or Acadia National Park, the
32 town or towns in which the waters are located and the Maine Land
Use Regulation Commission or Acadia National Park must jointly
34 petition the commissioner. Acadia National Park may petition the
commissioner for great ponds entirely within the park.

36
38 The amendment also requires the Commissioner of Inland
Fisheries and Wildlife and the Maine Land Use Regulation
Commission to submit a report to the Legislature no later than
40 January 15, 1999 on the horsepower, use, operation, noise level
and type of watercraft on all great ponds. In preparing the
42 report, the commissioner and the Maine Land Use Regulation
Commission must consider traditional uses and conservation
44 efforts already in place.

46 The amendment also adds an appropriation section and a
fiscal note to the bill.