

MAINE STATE LEGISLATURE

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L.D. 1730

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DATE: 3-31-98

(Filing No. H-1134)

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

HOUSE AMENDMENT "B" 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. 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

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

10 **3. Great ponds located in other parts of the State.** For
great ponds located in parts of the State not addressed by
12 subsection 1 or 2, a request to the Commissioner of Inland
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
18 municipality may submit the request;

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

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

28 D. For great ponds entirely within Acadia National Park,
30 Acadia National Park may submit the request.

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

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48 **FISCAL NOTE**

50 The Department of Inland Fisheries and Wildlife will incur
some minor additional costs to submit a required report to the

Legislature pertaining to the regulation of watercraft on certain 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 W. Perkins
(Representative PERKINS)

TOWN: Penobscot