

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1998

Legislative Document

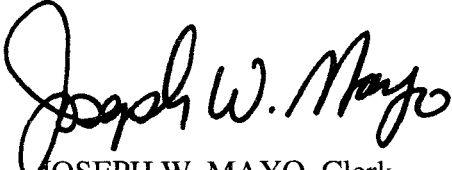
No. 26

H.P. 16

House of Representatives, December 23, 1998

**An Act to Clarify the Responsibility of a Municipality in Enforcing
Personal Watercraft Regulations.**

Received by the Clerk of the House on December 21, 1998. Referred to the Committee on Inland Fisheries and Wildlife pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.


JOSEPH W. MAYO, Clerk

Presented by Representative PERKINS of Penobscot.

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

4 **Sec. 1. PL 1997, c.739, §17 is amended to read:**

6 **Sec. 17. Recommendations for regulating the use, operation and type**
7 **of watercraft for great ponds within the organized areas of the State.** A
8 municipality, with the approval of its legislative body, may
9 submit recommendations to the Commissioner of Inland Fisheries
10 and Wildlife for regulating the use, operation and type of
11 watercraft on great ponds within the jurisdiction of that
12 municipality. For great ponds that border more than one
13 municipality, recommendations may be submitted only after
14 approval by the legislative bodies of all municipalities in which
15 those waters are located. For great ponds that border lands
16 within the jurisdiction of the Maine Land Use Regulation
17 Commission, the approval of the commission is also required. If
18 a municipality chooses to prepare recommendations for such
19 waters, it shall take into consideration the use to which those
20 waters are put, the depth of the water, the amount of water-borne
21 traffic on the waters, wildlife and environmental values, noise,
22 traditional uses of the water body and the safety of persons and
23 property. These recommendations may be submitted only after a
24 public hearing and must include a description of the resources
25 the municipality or municipalities will use to ~~enforce~~ assist in
26 the enforcement of those regulations if enacted.

27 The commissioner shall submit a report to the First Regular
28 Session of the 119th Legislature by January 15, 1999 on the
29 recommendations received from municipalities prior to November 1,
30 1998 and shall submit a report to the Second Regular Session of
31 the 119th Legislature on the recommendations received from
32 municipalities between November 1, 1998 and October 30, 1999.
33 Each report must be accompanied by legislation implementing the
34 municipal recommendations supported by the Department of Inland
35 Fisheries and Wildlife. That legislation may also include
36 recommendations of the department, developed using the criteria
37 in this section, for waters not addressed in the municipal
38 proposals.

40 **SUMMARY**

42 This bill clarifies that a municipality is only required to
43 assist in the enforcement of proposed regulations that a
44 municipality submits to the Commissioner of Inland Fisheries and
45 Wildlife regarding the use, operation and type of watercraft on
46 great ponds within the jurisdiction of that municipality.