

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

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Legislative Document

No. 1313

H.P. 936

House of Representatives, February 16, 1999

**An Act to Give the Commissioner of Inland Fisheries and Wildlife the  
Sole Discretion to Determine the Need for and Location of Boat Launches.**

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Reference to the Committee on Inland Fisheries and Wildlife suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative CLARK of Millinocket.  
Cosponsored by Representatives: GOODWIN of Pembroke, O'NEAL of Limestone,  
WHEELER of Bridgewater.

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

2  
4       **Sec. 1. 12 MRSA §685-B, sub-§11** is enacted to read:

6       11. Limitation; boat launches. The commission may not issue  
8       a permit or approval for the location or construction of a boat  
10       launch unless that location or construction of the launch is  
12       approved by the Commissioner of Inland Fisheries and Wildlife  
14       pursuant to section 7806.

16       **Sec. 2. 12 MRSA §1804, sub-§§4 and 5**, as enacted by PL 1997, c.  
18       678, §13, are amended to read:

20       **4. Surplus property.** Sell storehouses and other structures  
22       and fixtures that are surplus to the needs of the bureau; and

24       **5. Bureau budget.** Prepare and submit to the commissioner  
26       the budget for the bureau; and

28       **Sec. 3. 12 MRSA §1804, sub-§6** is enacted to read:

30       6. Limitation; boat launches. With the approval of the  
32       Commissioner of Inland Fisheries and Wildlife pursuant to section  
34       7806, locate or construct a boat launch or issue a permit or  
36       lease for the location or construction of a boat launch under  
38       this chapter.

40       **Sec. 4. 12 MRSA §7806** is enacted to read:

42       §7806. Boat launch approval

44       A person may not locate or construct a boat launch in the  
46       State unless the launch is approved by the commissioner. The  
48       commissioner may approve the location and construction of a boat  
launch if the commissioner determines that adequate boat  
launching facilities are not available in the area under  
consideration and that the launch will not have a detrimental  
impact on the State's fish and wildlife resources. For the  
purposes of this section, "person" means any individual,  
corporation, firm, partnership, municipality, quasi-municipal  
corporation, state or federal agency or other legal entity.

50       **Sec. 5. 30-A MRSA §2005** is enacted to read:

52       §2005. Limitations on boat launches

54       A municipality may not locate or construct a boat launch or  
56       issue a permit or approval for the location or construction of a  
58       boat launch unless that location or construction of the launch is

2 approved by the Commissioner of Inland Fisheries and Wildlife  
3 pursuant to Title 12, section 7806.

4 **Sec. 6. 38 MRSA §341-D, sub-§9** is enacted to read:

6 9. Limitations; boat launches. The board may not issue a  
7 permit or license for the location or construction of a boat  
8 launch unless that location or construction is approved by the  
9 Commissioner of Inland Fisheries and Wildlife pursuant to Title  
10 12, section 7806.

12 **Sec. 7. 38 MRSA §342, sub-§7-A** is enacted to read:

14 7-A. Limitations; boat launches. The commissioner may not  
15 issue a permit or license for the location or construction of a  
16 boat launch unless that location or construction is approved by  
17 the Commissioner of Inland Fisheries and Wildlife pursuant to  
18 Title 12, section 7806.

20 **SUMMARY**

22 This bill prohibits the construction of a boat launch in the  
24 State unless the launch is approved by the Commissioner of Inland  
Fisheries and Wildlife.