## MAINE STATE LEGISLATURE

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## 119th MAINE LEGISLATURE

## **SECOND REGULAR SESSION-2000**

Legislative Document

No. 2671

H.P. 1925

House of Representatives, April 3, 2000

An Act to Implement Municipal Recommendations Regarding Surface Water Use on Great Ponds.

(EMERGENCY)

Reported by the Majority from the Joint Standing Committee on Inland Fisheries and Wildlife pursuant to Joint Order H.P. 1840.

JOSEPH W. MAYO, Clerk

	Emergency preamble. Whereas, Acts of the Legislature do not
2	become effective until 90 days after adjournment unless enacted as emergencies; and
4	Whereas, the restrictions on surface water uses on great
6	ponds contained in this legislation must take effect prior to the start of this year's boating season; and
8	
10	Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately
12	Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,
14	Be it enacted by the People of the State of Maine as follows:
16	Sec. 1. 12 MRSA §7801, sub-§20, ¶¶M and N, as enacted by PL
18	1997, c. 739, §5, are amended to read:
20	M. Operates a motorboat equipped with a motor greater than 10 horsepower on Upper Hadlock Pond or Lower Hadlock Pond on
22	Mount Desert Island in Hancock County; er
24	N. Operates a personal watercraft in violation of section 685-C, subsection 10 or any rule adopted by the commission
26	to implement that subsection.
28	Sec. 2. 12 MRSA §7801, sub-§20, ¶¶O, P, Q and R are enacted to read:
30	O Openator a restaurant at quarter than bendung good on
32	O. Operates a watercraft at greater than headway speed on any area of Torsey Lake within 1/2 mile from the boat launch on Desert Pond Road in the Town of Mount Vernon;
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36	P. Operates a watercraft at greater than headway speed on any area of Torsey Lake within 1/2 mile from the boat launch on Old Kents Hill Road in the Town of Readfield;
38	VIII VIII 11000 1111 11000 1111 VIII 11000
40	Q. Operates a watercraft equipped with a motor greater than 10 horsepower on Cold Rain Pond in the Town of Naples or on Holt Pond in the Town of Naples and the Town of Bridgton; or
42	note tong in the lown of magres and the lown of bilageon, or
44	R. Operates a watercraft equipped with a motor greater than 5 horsepower on Moose Pond in the Town of Otisfield.
46	Sec. 3. 12 MRSA §7801, sub-§35, as enacted by PL 1999, c. 400, §1, is amended to read:
48	gr, is amended to read:

	35. Illegally operating personal watercraft in prohibited
2	area. A person is guilty of operating a personal watercraft in a prohibited area if that person operates a personal watercraft on:
4	
б	A. Operates - a - personal - water or aft - en Mud Pond, Oversett Pond, South Pond, Round Pond, Twitchell Pond, Hicks Pond or
8	Furlong Pond in the Town of Greenwood in Oxford County;
10	B. Operates-a-personal-watercraft-en North Pond or Bryant Pond, also known as Christopher Lake, in the Town of Greenwood and the Town of Woodstock in Oxford County;
12	C. Operates - a - personal - watergraft - on Concord Pond, Little
14	C. Operates - a - personal - watercraft - on Concord Pond, Little Concord Pond or Shagg Pond in the Town of Woodstock in Oxford County;
16	D. Openster a personal systems of the Hamilton David in Barr
18	D. Operates-a-personal-watercraft-en Hamilton Pond in Bar Harbor in Hancock County; er
20	E. Operates-a personal watercraft-en Bog Lake or Horseshoe Lake in the Town of Northfield in Washington County:
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24	F. Megunticook Lake in the Town of Camden and the Town of Hope in Knox County and the Town of Lincolnville in Waldo County:
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28	G. Hobbs Pond, Fish Pond or Alford Lake in the Town of Hope in Knox County;
30	H. Norton Pond or Coleman Pond in the Town of Lincolnville in Waldo County;
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34	I. Pitcher Pond in the Town of Lincolnville and the Town of Northport in Waldo County:
36	J. Torsey Lake in the Town of Mount Vernon and the Town of Readfield in Kennebec County;
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40	K. Trickey Pond in the Town of Naples in Cumberland County;
42	L. Brandy Pond in the Town of Naples in Cumberland County between sunset and 9:00 a.m.;
44	M. Fulton Lake in the Town of Northfield in Washington County;
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48	N. Knight Pond in the Town of Northport in Waldo County;
50	O. Moose Pond or Saturday Pond in the Town of Otisfield in Oxford County:

2	P. Tripp Pond, Upper Range Pond or Middle Range Pond in the Town of Poland in Androscoggin County;
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6	O. Keewaydin Lake, Virginia Lake, Trout Pond, Weymouth Pond or Whitney Pond in the Town of Stoneham in Oxford County;
8	R. Lermond Pond in the Town of Union and the Town of Hope in Knox County;
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12	S. Pocasset Lake or Pickerel Pond in the Town of Wayne in Kennebec County:
14	T. Androscoggin Lake in the Town of Wayne in Kennebec County and the Town of Leeds in Androscoggin County; or
16	
18	U. Little Cobbosseecontee Lake in the Town of Winthrop in Kennebec County.
20	Sec. 4. 12 MRSA §7801, sub-§36 is enacted to read:
22	36. Operating rented or leased personal watercraft without
24	identification decal. A person is guilty of operating a rented or leased personal watercraft without an identification decal if
24	that person operates a rented or leased personal watercraft on
26	Brandy Pond in the Town of Naples or on Long Lake in the Town of
20	Naples, the Town of Bridgton and the Town of Harrison that does
28	not have a clearly visible decal affixed to the personal watercraft that identifies the rental agent.
30	Sec. 5. Preparation of identification decals. The Naples
32	Sec. 5. Preparation of identification decals. The Naples Conservation Commission shall, in cooperation with businesses
	that rent or lease personal watercraft for use on Brandy Pond in
34	the Town of Naples or on Long Lake in the Town of Naples, the
36	Town of Bridgton and the Town of Harrison, design and provide to those businesses the identification decals required by the Maine
	Revised Statutes, Title 12, section 7801, subsection 36.
38	<b>—</b>
40	Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.
40	predible, chis Acc cakes effect when approved.
42	FISCAL NOTE
44	FISCAL NOTE
	This bill may increase prosecutions for Class E crimes. If
46	a jail sentence is imposed, the additional costs to the counties are estimated to be \$83.36 per day per prisoner. The number of
48	prosecutions that may result in a jail sentence and the resulting costs to the county jail system are expected to be insignificant.

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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 Department. The collection of additional fines may increase General Fund revenue by minor amounts.

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## **SUMMARY**

This bill is reported out by a majority of the members of the Joint Standing Committee on Inland Fisheries and Wildlife pursuant to House Paper 1840.

This bill prohibits the operation of personal watercraft on Megunticook Lake in the Town of Camden, the Town of Hope and the Town of Lincolnville; on Hobbs Pond, Fish Pond and Alford Lake in the Town of Hope; on Norton Pond and Coleman Pond in the Town of Lincolnville; on Pitcher Pond in the Town of Lincolnville and the Town of Northport; on Torsey Lake in the Town of Mount Vernon and the Town of Readfield; on Trickey Pond in the Town of Naples; between sunset and 9:00 a.m. on Brandy Pond in the Town of Naples; on Fulton Lake in the Town of Northfield; on Knight Pond in the Town of Northport; on Moose Pond and Saturday Pond in the Town of Otisfield; on Tripp Pond, Upper Range Pond and Middle Range Pond in the Town of Poland; on Keewaydin Lake, Virginia Lake, Trout Pond, Weymouth Pond and Whitney Pond in the Town of Stoneham; on Lermond Pond in the Town of Union and the Town of Hope; on Pocasset Lake and Pickerel Pond in the Town of Wayne; on Androscoggin Lake in the Town of Wayne and the Town of Leeds; and on Little Cobbosseecontee Lake in the Town of Winthrop.

The bill also prohibits the operation of watercraft at greater than headway speed within 1/2 mile of the boat launches located on the north and south ends of Torsey Lake in the Town of Mount Vernon and the Town of Readfield, prohibits the operation of a watercraft equipped with a motor greater than 10 horsepower on Cold Rain Pond in the Town of Naples and on Holt Pond in the Town of Naples and the Town of Bridgton and prohibits the operation of a watercraft equipped with a motor greater than 5 horsepower on Moose Pond in the Town of Otisfield.

The bill also prohibits the operation of a rented or leased personal watercraft on Brandy Pond in the Town of Naples and on Long Lake in the Town of Naples, the Town of Bridgton and the Town of Harrison unless that personal watercraft has a decal affixed to it that identifies the rental agent.

The bill is an emergency so that its provisions will take effect before the start of this year's recreational boating season.