

# MAINE STATE LEGISLATURE

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# 123rd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2007

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Legislative Document

No. 1205

S.P. 393

March 7, 2007

### **An Act To Amend the Laws Preventing the Pollution of Portland's Water Supply**

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Reference to the Committee on Utilities and Energy suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator BARTLETT of Cumberland.  
Cosponsored by Representative BLISS of South Portland and Senator: HOBBS of York,  
Representatives: BLANCHARD of Old Town, FITTS of Pittsfield, FLETCHER of Winslow,  
HINCK of Portland, RINES of Wiscasset.

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

2 **Sec. 1. P&SL 1913, c. 157, §1** is amended to read:

3 **Sec. 1. Trespassing on certain lands near Sebago Lake forbidden; notices**  
4 **must be posted.** All persons are forbidden trespassing on the lands purchased, taken or  
5 otherwise acquired by the Portland Water District for the purpose of protecting the purity  
6 of the waters of Sebago lake Lake. Notices that the lands are so taken and held, ~~shall~~  
7 must be posted in conspicuous places on said the lands and along the shore of said the  
8 lake and abutting ~~thereon~~ land and any person trespassing on said the lands ~~shall be~~ is  
9 liable to a fine, payable to the ~~state~~ State, of ~~not more than twenty dollars~~ \$500 for a first  
10 offense, \$1,000 for a second offense and \$2,500 for each subsequent offense.

11 **Sec. 2. P&SL 1913, c. 157, §2, first ¶,** as amended by P&SL 1991, c. 12, §5, is  
12 further amended to read:

13 **Sec. 2. Bathing, etc., within two miles of intake, forbidden.** A person may  
14 not ~~bathe in~~ have bodily contact with the waters of Sebago Lake within 2 miles of the  
15 intakes of the Portland Water District, nor may any person wash linen or other articles of  
16 personal apparel in the waters of the lake. ~~In addition to the foregoing provision, no A~~  
17 ~~person shall~~ may not, within the following described restricted area near the intakes of the  
18 Portland Water District, carry on ice fishing, operate any boat or any motorized vehicle,  
19 including snowmobiles, or trespass. The Portland Water District is authorized to place  
20 buoys in the waters of Sebago Lake and markers on the ice to define this restricted area.  
21 Any ~~such~~ buoys placed in the waters of Sebago Lake ~~shall~~ must be plainly marked as  
22 required by the Director of the Bureau of Parks and Recreation under the Maine Revised  
23 Statutes, Title 38 12, Section 323 section 1894. To the extent that this statute prohibits  
24 the operation of a boat or vehicles or the carrying on of ice fishing in an area greater than  
25 prohibited by the general laws, the Act ~~shall apply~~ applies as provided in the Maine  
26 Revised Statutes, Title 22, Section 2437 section 2648.

27 **Sec. 3. P&SL 1913, c. 157, §2, 3rd ¶,** as amended by P&SL 1971, c. 77, is  
28 further amended to read:

29 Any person violating the provisions of this section ~~shall be~~ is liable to a fine, payable  
30 to the State, of ~~not more than \$20~~ \$500 for a first offense, \$1,000 for a second offense  
31 and \$2,500 for each subsequent offense.

32 **SUMMARY**

33 This bill updates and clarifies the private and special law prohibiting bodily contact  
34 with the waters of Sebago Lake within 2 miles of the Portland Water District intake pipes.  
35 This bill also updates the fines for such bodily contact and for trespassing on land  
36 acquired by the district for protecting its source of supply in the lower bay of Sebago  
37 Lake.