

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**  
**ONE HUNDRED AND SEVENTEENTH LEGISLATURE**

**SECOND SPECIAL SESSION**  
**September 5, 1996 to September 7, 1996**

**ONE HUNDRED AND EIGHTEENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 4, 1996 to March 27, 1997**

**FIRST SPECIAL SESSION**  
**March 27, 1997 to June 20, 1997**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 26, 1997**

**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 19, 1997**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1997**

to the Second Regular Session of the 118th Legislature.

See title page for effective date.

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## CHAPTER 277

### H.P. 374 - L.D. 519

#### An Act to Promote Water Skiing in the State

**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** these changes to the laws pertaining to water-skiing events must take effect prior to the start of the water-skiing season; and

**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 necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. 12 MRSA §7802, sub-§3** is enacted to read:

**3. Sanctioned water-skiing courses.** The prohibition in subsection 1 does not apply to watercraft towing a water-skier on a water-skiing course for slalom, jump or trick events operated under a permit issued by the commissioner under this subsection. The commissioner may issue a permit for a water-skiing course that is located in whole or in part in the water safety zone if the commissioner determines that:

A. The course meets the following minimum dimensional requirements:

(1) Eight hundred and fifty feet in length, plus 500 feet at each end for turning and other maneuvers;

(2) Seventy-five feet in width, except that the course must be at least 125 feet in width if a jump is combined with a slalom or trick ski course; and

(3) A five-foot water depth throughout the course; and

B. The applicant has obtained the written permission of any landowner whose property is less than 75 feet from any course buoy.

The commissioner may issue a permit under this subsection only if notice of the permit application is given to all municipalities that have jurisdiction over the body of water.

All buoys used to mark the water-skiing course must prominently display the permit number. Buoys marking a course may be placed no earlier than April 1st and must be removed no later than November 1st of each year. The number of buoys for any water-skiing course may not exceed 40. Buoys that are part of a permitted course are granted the same legal protection from vandalism as navigational buoys under Title 38, section 329.

Water-skiing tow boats utilizing the course may not travel within 100 feet of the shore at any time. The commissioner, after giving a 10-day advance notice to an applicant, may suspend the use of the water-skiing course for up to 3 days for other permitted events, such as bass tournaments.

A course permitted under this subsection may be used for practice without a permit under section 7797. That use does not violate the provisions of section 7801, subsection 4. A permit under section 7797 is required for any water-skiing exhibition or tournament conducted at a course permitted under this subsection. The provisions of section 7801, subsection 5 do not apply to a course permitted under this subsection unless that course is also permitted under section 7797.

The commissioner may suspend or revoke a permit issued under this subsection if the commissioner determines that the presence of the course creates a safety concern or constitutes a nuisance.

The annual fee for a permit issued under this subsection is \$25.

This subsection is repealed March 31, 1999.

**Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective May 27, 1997.

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## CHAPTER 278

### H.P. 376 - L.D. 521

#### An Act to Encourage Collaboration and Cooperation among Agencies in the Interests of Juveniles within the Juvenile Court System

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