

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2004 Session of
2003

INTRODUCED BY WILT, J. EVANS AND WOJNAROSKI, SEPTEMBER 29, 2003

AS AMENDED ON SECOND CONSIDERATION, IN SENATE, FEBRUARY 9, 2004

AN ACT

1 Amending the compact contained in the act of June 5, 1937
2 (P.L.1664, No.348), entitled "An act to ratify and adopt a
3 compact or agreement negotiated by commissioners designated
4 by the Governor of the Commonwealth of Pennsylvania, and
5 commissioners designated by the Governor of the State of
6 Ohio, relative to the development, use, and control of the
7 Pymatuning Lake and the State owned land surrounding said
8 lake for fishing, hunting, recreational, and park purposes,"
9 changing provisions relating to the operation of motor boats.

10 The General Assembly of the Commonwealth of Pennsylvania

11 hereby enacts as follows:

12 Section 1. Subdivision 5 of the compact contained in the act
13 of June 5, 1937 (P.L.1664, No.348), entitled "An act to ratify
14 and adopt a compact or agreement negotiated by commissioners
15 designated by the Governor of the Commonwealth of Pennsylvania,
16 and commissioners designated by the Governor of the State of
17 Ohio, relative to the development, use, and control of the
18 Pymatuning Lake and the State owned land surrounding said lake
19 for fishing, hunting, recreational, and park purposes," amended
20 December 22, 1993 (P.L.563, No.82), is amended to read:

21 5. [Boats and Vessels] WATERCRAFT.--No [hydroplanes or

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1 aquaplanes nor any type of boat equipped with a motor in excess
2 of a ten horsepower rating shall be operated anywhere on said
3 lake, except such] person shall operate any watercraft propelled
4 by a single motor, or any combination of motors, that produces a
5 horsepower rating in excess of twenty horsepower on Pymatuning
6 Lake, except police or administration [motor boats, to]
7 watercraft, the number which shall be mutually agreed upon by
8 the parties hereto. [Sail boats, row boats, canoes, and boats
9 propelled by a motor not in excess of ten horsepower shall be
10 permitted, provided the owners] No person shall operate a
11 watercraft without first [obtain] obtaining a license from the
12 respective state of which the owner is a resident under such
13 regulations as each party to this agreement may now have or
14 hereafter adopt: Provided, nevertheless, That the use of any
15 type of [boats] watercraft equipped with a motor is expressly
16 limited and restricted to that portion of the lake extending
17 from the main dam near Jamestown northwardly to the causeway at
18 or near Linesville[: And provided further, That any boat].
19 Watercraft equipped with a motor in excess of [ten] a twenty
20 horsepower rating may be operated on said lake so long as such
21 motor is not used. [A motor of not more than ten horsepower
22 rating may be attached to the boat and used for propelling the
23 boat on said lake.]

24 No person shall ride or attempt to ride upon one or more
25 water skis, surfboards, towed inflatable devices or similar
26 devices or use or operate any ~~vessel~~ WATERCRAFT to tow a person <—
27 thereon.

28 Nothing contained in this subdivision shall be interpreted to
29 effect a change in the level or flow of water as determined or
30 fixed by the Department of [Environmental Resources]

1 Conservation and Natural Resources.

2 Any one who violates any of the provisions of this
3 [subsection or who operates any boat equipped with a motor on <—
4 the lake without being authorized to do so under the provisions
5 of this subdivision,] SUBDIVISION shall, upon conviction <—
6 thereof, be sentenced [to pay a fine not to exceed fifty dollars
7 (\$50) and costs of prosecution, and, in default of payment of
8 the fine and costs, shall undergo imprisonment not to exceed
9 thirty days.] in accordance with the applicable laws for the
10 same or similar violations within the prosecuting jurisdiction,
11 provided that the penalty for said violation shall not exceed a
12 fine of five hundred dollars (\$500) or imprisonment for thirty
13 days.

14 Section 2. This act shall be effective immediately upon its
15 signing by the Governor and the passage by the State of Ohio of
16 a substantially similar amendatory act ratifying the within
17 change or alteration of the compact or agreement herein referred
18 to.