

No. 1993-82

AN ACT

SB 570

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

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Subdivision 5 of the compact contained in the act of June 5, 1937 (P.L.1664, No.348), entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania, and commissioners designated by the Governor of the State of Ohio, relative to the development, use, and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing, hunting, recreational, and park purposes," amended July 23, 1971 (P.L.233, No.49), is amended to read:

5. Boats and Vessels.—No hydroplanes or aquaplanes nor any type of boat equipped with a motor in excess of a ten horsepower rating shall be **[permitted] operated** anywhere on said lake, except such police or administration motor boats, to the number which shall be mutually agreed upon by the parties hereto. Sail boats, row boats, canoes, and boats **[equipped with] propelled by** a motor not in excess of ten horsepower shall be permitted, provided the owners first obtain a license from the respective state of which the owner is a resident under such regulations as each party to this agreement may now have or hereafter adopt: Provided, nevertheless, That the use of any type of boats equipped with a motor **[not in excess of ten horsepower, as defined above,]** is expressly limited and restricted to that portion of the lake extending from the main dam near Jamestown northwardly to the causeway at or near Linesville: And provided further, That any boat equipped with a motor in excess of ten horsepower rating may be operated on said lake **[if] so long as** such motor is **[rendered inoperable by removal of the propeller and such propeller is left ashore. After removal of the propeller, a] not used.** A motor of not more than ten horsepower rating may be attached to the boat and used for propelling the boat on said lake.

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

Any one who violates any of the provisions of this subsection or who operates any boat equipped with a motor on the lake without being authorized to do so under the provisions of this subdivision, shall, upon conviction thereof, be sentenced to pay a fine not to exceed fifty dollars (\$50) and costs of prosecution, and, in default of payment of the fine and costs, shall undergo imprisonment not to exceed thirty days.

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

APPROVED—The 22nd day of December, A.D. 1993.

ROBERT P. CASEY