

No. 2004-17

AN ACT

HB 2004

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 December 22, 1993 (P.L.563, No.82), is amended to read:

5. **[Boats and Vessels] Watercraft.**—No [hydroplanes or aquaplanes nor any type of boat equipped with a motor in excess of a ten horsepower rating shall be operated anywhere on said lake, except such] *person shall operate any watercraft propelled by a single motor, or any combination of motors, that produces a horsepower rating in excess of twenty horsepower on Pymatuning Lake, except* police or administration [motor boats, to] *watercraft*, the number which shall be mutually agreed upon by the parties hereto. [Sail boats, row boats, canoes, and boats propelled by a motor not in excess of ten horsepower shall be permitted, provided the owners] *No person shall operate a watercraft without* first [obtain] *obtaining* 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] *watercraft* equipped with a motor 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].** *Watercraft* equipped with a motor in excess of [ten] *a twenty* horsepower rating may be operated on said lake so long as such motor is 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.]

No person shall ride or attempt to ride upon one or more water skis, surfboards, towed inflatable devices or similar devices or use or operate any watercraft to tow a person thereon.

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] *Conservation and Natural 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,] *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.] *in accordance with the applicable laws for the same or similar violations within the prosecuting jurisdiction, provided that the penalty for said violation shall not exceed a fine of five hundred dollars (\$500) or imprisonment for 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 24th day of March, A.D. 2004.

EDWARD G. RENDELL