

A 2010 Duprey 1100 LITTLE Navigation Law TITLE....Prohibits the operation of motor boats on Lake Colby in the county of Franklin 01/11/07referred to environmental conservation	Same as S	S1100 LITTLE Same as A 2010 Duprey NOT ON FILE Navigation Law TITLE....Prohibits the operation of motor boats on Lake Colby in the county of Franklin 01/16/07REFERRED TO TOURISM, RECREATION AND SPORTS DEVELOPMENT
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DUPREY
Add S39-a, Nav L
Prohibits the operation of motor boats with more than a 10 horsepower motor on Lake Colby in the county of Franklin.
CRIMINAL SANCTION IMPACT.

STATE OF NEW YORK

2010

2007-2008 Regular Sessions

IN ASSEMBLY

January 11, 2007

Introduced by M. of A. DUPREY -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the navigation law, in relation to the regulation of motor boats on Lake Colby

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

- 1 Section 1. The navigation law is amended by adding a new section 39-a
- 2 to read as follows:
- 3 **§ 39-a. Motor boat regulation on Lake Colby. 1. The term "motor boat"**

4 shall mean and include a mechanically propelled vessel having a
5 source
6 of power in excess of ten horsepower other than propulsion by
7 wind
8 propelled sail or human propelled oar or paddle. Such term shall
9 also
10 include a vessel temporarily or permanently equipped with a
11 detachable
12 motor, commonly known as an "outboard" motor boat.
13 2. No motor boat shall be operated on Lake Colby, in the town of
14 Harrietstown, county of Franklin.
15 3. The provisions of this section shall not apply to emergency and
16 rescue vessels and vessels operated for the official functions of a
17 federal, state or local governmental agency.
18 4. A person violating any provision of subdivision two of this
19 section
20 shall be guilty of a violation punishable by a fine of not more than
21 fifty dollars, or imprisonment for not more than ten days, or by both
22 such fine and imprisonment.
23 § 2. This act shall take effect on the first of April next succeeding
24 the date on which it shall have become a law.

EXPLANATION--Matter in **italics** (underscored) is new; matter in brackets
[-] is old law to be omitted.

LBD00406-01-7

NEW YORK STATE ASSEMBLY
MEMORANDUM IN SUPPORT OF LEGISLATION
submitted in accordance with Assembly Rule III, Sec 1(f)

BILL NUMBER: A2010

SPONSOR: Duprey

TITLE OF BILL:

An act to amend the navigation law, in relation to the regulation of
motor boats on Lake Colby

PURPOSE:

To restrict the use of water craft on Lake Colby to not more than 10 HP.

SUMMARY OF PROVISIONS:

Section one - adds a new section 39-a to the navigation law to define "motor boat" on Lake Colby as a mechanically propelled vessel having a source of power in excess of ten horsepower other than propulsion by wind propelled sail or human propelled oar or paddle; including an outboard motor. These "motor boats are prohibited from operating on Lake Colby. Exceptions include: emergency and rescue vessels and those operated for the official functions of a federal, state or local government. A person violating any provision of this section shall be guilty of a violation punishable by a fine of not more than \$50 or imprisonment for not more than ten days or both.

Section two - contains the effective date

JUSTIFICATION:

The Town of Harrietstown in conjunction with the Lake Colby Association and all shore owners including the Adirondack Medical Center have requested introduction of this legislation.

Lake Colby is a small lake of 286 acres with low seawalls, nesting loons and an active mil foil control program. In addition, the Department of Environmental Conservation has an Environmental Education Camp as well as a public boat launch site which has restricted boats to 10 HP. Seven private shore owners own less than 1200 feet of lakefront and they have all voluntarily restricted their use of 10 HP motorboats.

This legislation will protect the public and the environment and has the full support of the community in which the lake is located.

LEGISLATIVE HISTORY:

New bill.

FISCAL IMPLICATIONS:

Unknown.

EFFECTIVE DATE:

This act shall take effect on the first of April next succeeding the date on which it shall have become a law.