

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 45
6

7 H.P. 40

House of Representatives, January 5, 1983

8 Reference to the Committee on Fisheries and Wildlife suggested and
9 ordered printed.

10 EDWIN H. PERT, Clerk

Presented by Representative Erwin of Rumford.
11 Cosponsor: Senator Usher of Cumberland.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT Pertaining to the Licensing of
18 Guides.
19

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

22 12 MRSA §7301, sub-§10 is enacted to read:

23 10. Suspension or revocation. Procedures for sus-
24 pension or revocation of licenses to guide are as
25 follows.

26 A. Whenever it is brought to the attention of the
27 commissioner in writing that any licensed Maine
28 guide, while engaged in guiding activities, has
29 endangered the safety or general welfare of
30 another person, the commissioner may conduct an
31 investigation into the alleged incident.

1 B. Following any investigation as described in
2 paragraph A, the commissioner may bring a com-
3 plaint in the Administrative Court seeking to
4 revoke or suspend the current guide's license of
5 any person who he reasonably believes to have
6 endangered the safety or general welfare of
7 another person while engaged in guiding activi-
8 ties.

9 C. If the Administrative Court finds that the
10 person, while engaged in guiding activities, has
11 endangered the safety or general welfare of
12 another person and that the public safety or gen-
13 eral welfare will be endangered by the person's
14 retention of his license, the court shall revoke
15 or suspend that person's license to guide for a
16 period not to exceed 5 years.

17 D. Any person whose license to guide has been
18 revoked or suspended as the result of provisions
19 contained in this subsection, may, after the
20 expiration of one year from the effective date of
21 the revocation or suspension, petition the com-
22 missioner for restoration of his privilege to
23 procure such a license.

24 E. If, after hearing on the petition, the commis-
25 sioner determines that the public safety and gen-
26 eral welfare will not be endangered by it, he may
27 restore the petitioner's privilege to obtain a
28 guide's license.

29 F. If the commissioner disallows the petition and
30 refuses to grant restoration of the petitioner's
31 privilege to obtain a guide's license, the peti-
32 tioner may appeal to the commissioner's advisory
33 council which, after hearing, may allow the peti-
34 tion and restore the privilege.

35 STATEMENT OF FACT

36 The purpose of this bill is to provide a
37 means for suspending or revoking the license of any

1 Maine guide whose performance as a guide has proved
2 unsatisfactory.

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