

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
108TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "B" to S.P. 630, L.D. 1989, Bill,
"AN ACT to Ensure the Safety of Minors Taking Canoe Trips while
Attending Summer Camp."

Amend the Bill by striking out all of the title and
inserting in its place the following: 'AN ACT to Ensure the
Safety of Minors Participating in Trip Camping.'

Further amend the Bill by striking out all of the Emergency
preamble.

Further amend the Bill by striking out everything after
the enacting clause and before the Statement of Fact and
inserting in its place the following:

'Sec. 1. 12 MRSA §2052, as last amended by PL 1977,
c. 503, §8, is repealed and the following enacted in its place:
§2052. Junior guides and trip leaders examining board

The commissioner shall appoint a board of 5 members, to
be known as the "Junior Guides and Trip Leaders Examining
Board." The board shall consist of one member from the Department
of Inland Fisheries and Wildlife, one member from the Department
of Human Services and 3 public members, one of whom shall be a
Maine camp director. All members shall serve without compensation,
except public members shall be reimbursed from/^{the}Department of
Inland Fisheries and Wildlife funds for travel and other necessary
expenses incurred in the performance of their duties. Appointments
to the board shall be for staggered 3-year terms or until
successors are appointed.

This board shall hold such meetings as may be necessary

and shall adopt rules and regulations establishing standards of requirements and methods of ascertaining fitness of candidates for registration as junior guides and trip leaders.

All candidates for junior guide permits shall be between the ages of 14 and 18 years. All candidates for trip leader permits shall be at least 18 years of age. Those who pass the requirements shall be presented with the appropriate certificate.

No junior guide may receive remuneration for services or compete in any way with regular Maine guides.

Sec. 2. 12 MRSA §2054, as last amended by PL 1975, c. 293, §5, is repealed and the following enacted in its place:

§2054. Children's camp trips

1. Purpose. In order to protect the safety and welfare of children participating in camp trips, leaders of trips are required to be certified by the Junior Guides and Trip Leaders Examining Board. All trips are to be conducted in a safe and prudent manner.

2. Applicability. Camps serving children 17 years of age or less, located in Maine and duly licensed by the Department of Human Services, or located in another state and duly licensed in a similar manner if required, conducting trips away from the main camp shall be required to meet the provisions of this section.

3. Requirements. For all such trips, there shall be a minimum of one trip leader, at least 18 years of age, for each 6 campers who are children. The trip leader in charge of the trip shall be a holder of a trip leader's permit. The trip leader's

permit shall be issued only to a person who has completed a course certified by the Junior Guides and Trip Leaders Examining Board, which shall include a course in first aid or equivalent experience. The fee for the permit shall be \$5 for trip leaders from Maine camps and \$10 for others.

*change to
block # of
subsection*

A canoe trip is transporting people by means of canoe on any waters of this State. In addition to the other requirements set out in this subsection, trip leaders for canoe trips shall complete a course certified by the Junior Guides and Trip Leaders Examining Board. This course is to provide training in canoe and water safety, including but not limited to, life saving techniques. The course requirements may be waived if an applicant can document to the board sufficient equivalent experience. No camp owner shall conduct or allow to be conducted any camp canoe trip without providing a type I or II personal floatation device for each participant.

4. Exceptions. Maine guides registered according to section 2053 are not required to obtain a trip leader permit to lead camp trips.

5. Enforcement. Wardens of the Department of Inland Fisheries and Wildlife and rangers of the Bureau of Forestry are authorized to enforce the provisions of this section. They may terminate any trip considered in violation of these provisions, including trips considered unsafe or improper, considering prevailing conditions and the experience and equipment of the participants. They shall report these actions to the commissioner. The commissioner shall consider previous violations of this section when issuing trip leader permits.

Sec. 3. 12 MRSA §2055 is enacted to read:

§2055. Children's overnight trips

1. Purpose. In order to protect the safety and welfare of children participating in overnight trips, leaders of trips are required to be certified by the Junior Guides and Trip Leaders Examining Board. All trips are to be conducted in a safe and prudent manner.

2. Applicability. Groups other than summer camp groups conducting trips serving 6 or more children per adult, who are not related to or under the legal guardianship of any adult participating in the trip that lasts 2 or more days, shall be required to meet the provisions of this section.

3. Requirements. For all such trips, there shall be a minimum of one trip leader, at least 18 years of age, for each 6 campers who are minors. The trip leader in charge of the trip shall be a holder of a trip leader's permit. The trip leader's permit shall be issued only to a person who has completed a course certified by the Junior Guides and Trip Leaders Examining Board, which shall include a course in first aid. The permit fee for leaders conducting trips for compensation shall be \$5. There shall be no fee for others applying for permits under this section.

A canoe trip is transporting people by means of canoe on any waters of this State. In addition to the other requirements set out in this subsection, trip leaders for canoe trips shall complete a course certified by the Junior Guides and Trip Leaders Examining

Board. This course is to provide training in canoe and water safety, including, but not limited to, life saving techniques. The course requirements may be waived if an applicant can document to the board sufficient equivalent experience.

4. Exceptions. Maine guides registered according to section 2053 are not required to obtain a trip leader permit to lead trips.

5. Enforcement. Wardens of the Department of Inland Fisheries and Wildlife and rangers of the Bureau of Forestry are authorized to enforce the provisions of this section. They may terminate any trip considered in violation of these provisions, including trips considered unsafe or improper, considering prevailing conditions and the experience and equipment of the participants. They shall report these actions to the commissioner. The commissioner shall consider previous violations of this section when issuing trip leader permits.

Sec. 4. Effective date. This Act shall become effective 90 days after the adjournment of the Legislature, except that the requirements for completing courses certified by the Junior Guides and Trip Leaders Examining Board, Title 12, section 2054, subsection 3, and section 2055, subsection 3, shall not become effective until January 1, 1979.'

Statement of Fact

Section 1 increases the membership of the Junior Guides Examining Board from 4 to 5 and requires that one of the members shall be / from the Department of Inland Fisheries and Wildlife and one from the Department of Human Services. The name of the board is changed to the "Junior Guides and Trip Leaders Examining Board."

Section 2 expands the requirements for trip leader permits from children's camp trips on waters not adjacent to the main camp. The summer seasonal restriction is removed. Trip leader permits are to be issued by the Junior Guides and Trip Leaders Examining Board rather than the Commissioner of Inland Fisheries and Wildlife. Certification shall require proficiency in first aid, canoe safety for canoe trips and other requirements the board considers necessary. The amendment requires camps to provide personal floatation devices for canoe trips.

Section 3 sets similar requirements for trips other than camp trips that involve more than 6 children, other than relatives of the trip leader, taking trips lasting 2 or more days.

Wardens of the Department of Inland Fisheries and Wildlife and rangers of the Bureau of Forestry may stop trips not led by an authorized trip leader or/ ^{not} conducted in a safe or prudent manner.

Reported by the Committee on Fisheries and Wildlife.

Reproduced and distributed pursuant to Senate Rule 11-A.

February 24, 1978

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