

MAINE STATE LEGISLATURE

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(EMERGENCY)
SECOND REGULAR SESSION

ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1989

S. P. 630

Office of the Secretary of the Senate

The Committee on Legal Affairs suggested. Approved for Introduction by the Legislative Council pursuant to Joint Rule 24.

MAY M. ROSS, Secretary

Presented by Senator O'Leary of Oxford

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-EIGHT

AN ACT to Ensure the Safety of Minors Taking Canoe Trips while Attending Summer Camp

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, many of Maine's summer camps offer programs which include taking campers on canoe trips on Maine's rivers and lakes; and

Whereas, during the summer of 1977 there were several incidents during which children attending summer camps were taken on canoe trips under unsafe conditions, incidents which could easily have resulted in loss of life; and

Whereas, it is apparent that emergency legislation imposing necessary standards in this area is needed if the health and safety of children attending camps during the summer of 1978 are to be protected; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the people of the State of Maine, as follows:

12 MRSA § 2055 is enacted to read:

§ 2055. Person proficient in canoe safety required for long canoe trips taken by children attending summer camps

1. Definitions. As used in this chapter, unless the context otherwise indicates, the following words shall have the following meanings.

A. A “canoe trip” is a voyage on any great pond, river or stream located wholly or partially within this State.

B. The term “summer camp” includes those summer camps located in Maine and duly licensed by the Department of Human Services and those summer camps located in another state and duly licensed in a similar manner if the laws of that other state so require.

2. Prohibition. No owners, operators or employees of a summer camp shall authorize, permit or undertake any canoe trip accompanied by 3 or more children of 16 years of age or under, unless that canoe trip is led by and accompanied at all times by an individual of 18 years of age or older who is certified by the Department of Inland Fisheries and Wildlife or by the Red Cross to be proficient in canoe safety.

3. Penalty. A violation of subsection 2 shall be a Class E crime.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

STATEMENT OF FACT

This bill provides that when 3 or more children attending summer camp are taken on a canoe trip on a great pond, river or stream the canoe trip shall be led by an adult trained in canoe safety. The need for this bill is set out in the emergency preamble.