

MAINE STATE LEGISLATURE

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1 (After Deadline)
2 (EMERGENCY)
3 SECOND REGULAR SESSION
4

5 ONE HUNDRED AND TENTH LEGISLATURE
6

7 **Legislative Document**

No. 2140

8
9 S. P. 981 In Senate, April 5, 1982
Approved for introduction by a majority of the Legislative Council
pursuant to Joint Rule 27.
Taken from table by the President and Failed of Passage to be
Engrossed. Sent down for concurrence and ordered printed.
10 MAY M. ROSS, Secretary of the Senate
Presented by Senator Usher of Cumberland.
Cosponsor: Senator Redmond of Somerset.

11
12 STATE OF MAINE
13

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

17 **RESOLVE, to Establish a Commercial**
18 **Whitewater Study Commission.**
19

20 **Emergency preamble.** Whereas, Acts and resolves of the
21 Legislature do not become effective until 90 days after ad-
22 journment unless enacted as emergencies; and

23 Whereas, serious environmental degradation of Maine's
24 rafting rivers shall occur if permits for rafting are not
25 limited; and

26 Whereas, the increased number of whitewater rafters
27 creates serious safety problems; and

28 Whereas, this limit must be enacted and enforced
29 immediately prior to the upcoming season so that a review of
30 the level of activity these rivers may sustain can be made;
31 and

1 Whereas, in the judgment of the Legislature, these
2 facts create an emergency within the meaning of the Consti-
3 tution of Maine and require the following legislation as
4 immediately necessary for the preservation of the public
5 peace, health and safety; now, therefore, be it

6 **Sec. 1. Moratorium. Resolved:** That after the effec-
7 tive date of this resolve, the Department of Inland Fish-
8 eries and Wildlife may not issue any permits for commercial
9 whitewater outfitters under Title 12, section 7362, until
10 the study required under section 5 has been completed; and
11 be it further

12 **Sec. 2. Study commission created. Resolved:** That
13 there is established a commission to study commercial
14 whitewater rafting on the Penobscot and Kennebec Rivers,
15 referred to in this resolve as the commission; and be it
16 further

17 **Sec. 3. Appointment. Resolved:** That the commission
18 shall consist of 10 members, as follows: The Commissioner
19 of Inland Fisheries and Wildlife or his designee; the Com-
20 missioner of Conservation or his designee; 2 Senators and 2
21 public members appointed by the President of the Senate; and
22 2 Representatives and 2 public members appointed by the
23 Speaker of the House; and be it further

24 **Sec. 4. Duties. Resolved:** That the commission shall:

25 1. Determine the size of the present commercial
26 whitewater rafting industry and study potential future
27 growth of this industry;

28 2. Determine the social, safety, economic and environ-
29 mental impact of the commercial whitewater rafting industry
30 in Maine, based on the present and potential size of the
31 industry, and identify actual or potential conflicts with
32 other uses of rivers, including fishing, camping and
33 canoeing;

34 3. Determine the carrying capacity of the Penobscot
35 and Kennebec Rivers to support commercial whitewater rafting
36 without undue adverse social, economic, environmental or
37 aesthetic impact, and methods to maintain the industry
38 within this carrying capacity; and

39 4. Make any other studies and evaluations necessary to
40 fully assess the impact and adequacy of current regulations
41 governing the commercial whitewater rafting industry; and be
42 it further

