

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
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3 ONE HUNDRED AND ELEVENTH LEGISLATURE  
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5 Legislative Document

No. 45

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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.  
Cosponsor: Senator Usher of Cumberland.

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

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17 AN ACT Pertaining to the Licensing of  
18 Guides.  
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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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