

MAINE STATE LEGISLATURE

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1 (EMERGENCY)
2 FIRST REGULAR SESSION
3

4 ONE HUNDRED AND TWELFTH LEGISLATURE
5

6 Legislative Document

No. 111

8 H.P. 91

House of Representatives, January 22, 1985

9 Submitted by the Department of Inland Fisheries and Wildlife pursuant
10 to Joint Rule 24.

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

EDWIN H. PERT, Clerk

Presented by Representative McGowan of Canaan.

12 Cosponsored by Representative Jacques of Waterville, Senator Usher of
Cumberland and Senator Pearson of Penobscot.

13 STATE OF MAINE
14

15 IN THE YEAR OF OUR LORD
16 NINETEEN HUNDRED AND EIGHTY-FIVE
17

18 AN ACT to Establish a Uniform Fee for
19 Whitewater Guides Licenses.
20

21 Emergency preamble. Whereas, Acts of the Legis-
22 lature do not become effective until 90 days after
23 adjournment unless enacted as emergencies; and

24 Whereas, the license fee schedule for whitewater
25 guides differentiates between residents, nonresidents
26 and aliens; and

27 Whereas, the constitutionality of this license
28 fee schedule is currently being challenged in the
29 United States District Court; and

30 Whereas, the pending lawsuit could result in con-
31 siderable expense to the Department of Inland Fisher-
32 ies and Wildlife; and

33 Whereas, in the judgment of the Legislature,
34 these facts create an emergency within the meaning of

1 the Constitution of Maine and require the following
2 legislation as immediately necessary for the preser-
3 vation of the public peace, health and safety; now,
4 therefore,

5 Be it enacted by the People of the State of Maine as
6 follows:

7 Sec. 1. 12 MRSA §7301, sub-§6, as repealed and
8 replaced by PL 1979, c. 543, §26, is amended to read:

9 6. Classification. The commissioner shall estab-
10 lish classifications of guide licenses, including
11 general guides, ~~whitewater guides~~ and other special-
12 ized categories he may designate.

13 Sec. 2. 12 MRSA §7363, sub-§12, as enacted by PL
14 1983, c. 504, §4, is amended to read:

15 12. Whitewater guide. "Whitewater guide" means
16 a person who receives any remuneration for accompany-
17 ing, assisting or instructing passengers on the river
18 on whitewater trips, and who holds a current
19 whitewater guide's license in the whitewater
20 classification.

21 Sec. 3. 12 MRSA §7366, as enacted by PL 1983, c.
22 502, §4, is repealed and the following enacted in its
23 place:

24 §7366. Whitewater guide license

25 1. Eligibility. No person may act as a
26 whitewater guide until he is 18 years of age or older
27 and has procured a license from the commissioner pur-
28 suant to this section.

29 2. Rules. The commissioner shall by rule estab-
30 lish the requirements for a whitewater guide's li-
31 cence.

32 3. Examination. All initial applicants for a
33 whitewater guide's license shall be required to pass
34 an examination developed and administered by the com-
35 missioner.

1 eries and Wildlife estimates that this bill will have
2 no substantial effect upon its revenues.

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