

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
114TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT " B " to S.P. 1005, L.D. 2501, Bill, "An Act Relating to the Whitewater Rafting Laws"

Amend the bill by striking out all of section 3 and inserting in its place the following:

'Sec. 3. 12 MRSA §7365, sub-§6, as enacted by PL 1983, c. 502, §4, is amended to read:

6. Sale of business. When a licensed whitewater outfitter's business is sold, ~~the license shall~~ the selling outfitter's allocations or portions of the allocations subject to the sale must be returned to the department. On application to the department, ~~the license shall~~ allocations may be reissued to the purchaser, provided that the purchaser meets the licensing and allocation requirements of the department and pays the license fee and allocation fees. Profit on the return and reissuance of ~~the license itself~~ any allocations is prohibited, but nothing in this subchapter ~~may be construed to prohibit~~ prohibits a profit on the sale of any of the assets of a business. ~~The license is~~ allocations are not an asset assets of a business. The department may require an affidavit from the selling outfitter or purchaser, or both, to aid in enforcement of this provision. Allocations or portions of the allocations may be transferred, pursuant to this chapter, from a selling outfitter to one or more purchasers only if the selling outfitter's allocations or portions of the allocations subject to the sale are returned to the department.'

SENATE AMENDMENT "B " to S.P. 1005, L.D. 2501

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STATEMENT OF FACT

This amendment changes the bill and existing law to provide that, in the event of a sale of a whitewater rafting outfitter, the outfitter's allocations are returned to the Department of Inland Fisheries and Wildlife. The purchaser may then apply to the department for reissuance of the allocations.

(Senator CLARK)
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