

MAINE STATE LEGISLATURE

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
115TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A " to H.P. 105, L.D. 148, Bill, "An Act to Expand the Law Concerning Failure to Wear a Flotation Device"

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

'An Act to Amend the Law Concerning Failure to Wear a Flotation Device'

Further amend the bill by striking out everything after the title and before the statement of fact and inserting in its place the following:

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

Whereas, the requirement that persons wear flotation devices on the Saco River saves lives during the winter months; and

Whereas, the section of the Saco River between Hiram Dam and the Atlantic Ocean is the most dangerous section of the river and the section above the Hiram Dam is less dangerous; and

Whereas, enforcement on the river of the flotation requirement is difficult; and

Whereas, limiting the flotation device requirement to the section below the Hiram Dam will allow enforcement to be more effective and therefore may save lives; and

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

8 **Be it enacted by the People of the State of Maine as follows:**

10 **12 MRSA §7801, sub-§16, ¶C, as enacted by PL 1989, c. 469,**
§3, is amended to read:

12 C. Fails to wear a ~~Geast-Guard~~ Coast Guard approved Type I,
14 Type II, or Type III personal flotation device while
canoeing or kayaking on the Saco River between Hiram Dam and
16 the Atlantic Ocean between January 1st and June 1st.

18 **Emergency clause.** In view of the emergency cited in the
preamble, this Act takes effect when approved.'

20
22 **STATEMENT OF FACT**

24 This amendment retains the present law except that it amends
26 the language to limit the applicability of the flotation device
requirement to the most dangerous waters of the Saco River, those
28 below the Hiram Dam. This amendment also adds an emergency
preamble and an emergency clause.

Reported by the Committee on Fisheries and Wildlife.
Reproduced and distributed under the direction of the Clerk of the House.
(3/8/91) (Filing No. 25)