# MAINE STATE LEGISLATURE

The following document is provided by the

LAW AND LEGISLATIVE DIGITAL LIBRARY

at the Maine State Law and Legislative Reference Library

http://legislature.maine.gov/lawlib



Reproduced from scanned originals with text recognition applied (searchable text may contain some errors and/or omissions)



## 117th MAINE LEGISLATURE

## SECOND REGULAR SESSION-1996

Legislative Document

No. 1820

S.P. 719

In Senate, March 5, 1996

An Act to Amend the Laws Concerning Commercial Whitewater Rafting.

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27. Reference to the Committee on Inland Fisheries and Wildlife suggested and ordered printed.

MAY M. ROSS

Secretary of the Senate

Presented by Senator MICHAUD of Penobscot. Cosponsored by Representative: CLARK of Millinocket.

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

awarded an allocation for that river.

2

Sec. 1. 12 MRSA §7369, sub-§2, as amended by PL 1989, c. 883, §11, is further amended to read:

Allocation required; affiliated outfitters restricted.

6 Ex 8 wl We 10 St 12 fc mc 14 wl sp

Except as provided in subsection 10, operation of a commercial whitewater trip on the Kennebec River between Harris Station and West Forks or on the West Branch Penobscot River between McKay Station and Pockwockamus Falls without an allocation or in excess of an allocation is prohibited. An allocation is not required for other rivers or for other stretches of those rivers. Not more than one member of an affiliated group may conduct whitewater trips on any river or stretch of river for which a specific allocation is required, even on days for which an allocation is not required, except that 2 members of an affiliated group may conduct whitewater trips on any river for which a specific allocation is required if each member has been

20

22

24

26

28

30

32

16

18

Three or more years after the period of affiliation, the department may, in its discretion, consider requests to run passengers on allocated rivers by any former member of an affiliated group te--run--passengers--on--allocated--rivers, consisting of more than 2 outfitters, whose license was revoked for conducting a whitewater trip on an allocated river in violation of the affiliation rules under circumstances not disclosed to the department. The burden rests on the former member of an affiliated group to demonstrate that the reasons for any finding of affiliation have been so diminished in effect that the public interest will be served by considering the former member's request to run passengers on an allocated river.

34

36

### STATEMENT OF FACT

**38** 

42

44

This bill amends the laws pertaining to commercial whitewater rafting to allow 2 members of an affiliated group to conduct whitewater trips on a particular river if each member has been awarded an allocation for that river. The bill also clarifies existing law concerning requests to run whitewater trips on an allocated river by a former member of an affiliated group.