

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## SECOND REGULAR SESSION-1996

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Legislative Document

No. 1833

S.P. 727

In Senate, March 7, 1996

**An Act to Clarify the Definition of Commercial Whitewater Outfitter.**

(AFTER DEADLINE)

(EMERGENCY)

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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.

A handwritten signature in cursive script that reads "May M. Ross".

MAY M. ROSS  
Secretary of the Senate

Presented by Senator HANLEY of Oxford.

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

4  
6           **Whereas,** the 90-day period will not terminate until after  
the spring whitewater rafting season; and

8           **Whereas,** the provisions of this Act preclude potential  
criminal actions against whitewater rafting clubs; and

10  
12           **Whereas,** in the judgment of the Legislature, these facts  
create an emergency within the meaning of the Constitution of  
Maine and require the following legislation as immediately  
14 necessary for the preservation of the public peace, health and  
safety; now, therefore,

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

18           **Sec. 1. 12 MRSA §7363, sub-§6,** as amended by PL 1989, c. 493,  
20 §25, is further amended to read:

22           **6. Commercial whitewater outfitter; outfitter.** "Commercial  
whitewater outfitter" or "outfitter" means a person who conducts  
24 commercial whitewater trips or who collects dues or fees or  
receives any form of compensation for providing whitewater  
26 rafting services or for operating a whitewater rafting  
organization. "Commercial whitewater outfitter" or "outfitter"  
28 does not include a nonprofit whitewater rafting club or similar  
nonprofit organization that collects dues or fees to finance the  
30 expenses of the organization, such as the purchase and  
maintenance of whitewater gear or the preparation of a newsletter.

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

36

### STATEMENT OF FACT

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40           This bill provides an exception to the definition of  
"commercial whitewater outfitter" in the laws regulating  
commercial whitewater rafting for a nonprofit whitewater rafting  
42 club that collects dues or fees to finance the expenses of the  
club.