

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

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Legislative Document

No. 701

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H.P. 494

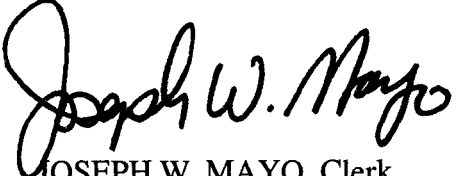
House of Representatives, January 26, 1999

**An Act to Repeal Prior Registration for Noncommercial Whitewater Rafting Trips.**

(EMERGENCY)

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

  
JOSEPH W. MAYO, Clerk

Presented by Representative PERKINS of Penobscot.

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

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6           **Whereas,** the 1999 whitewater rafting season may be over  
before the 90-day period terminates; and

8           **Whereas,** it is beneficial to the industry and the State  
that this legislation take effect in time for the 1999 whitewater  
rafting season; and

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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  
necessary for the preservation of the public peace, health and  
safety; now, therefore,

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

20           **Sec. 1. 12 MRSA §7369, sub-§12,** as amended by PL 1995, c. 667,  
Pt. B, §7, is repealed.

22           **Sec. 2. 12 MRSA §7369, sub-§§13 and 14** are enacted to read:

24           13. Noncommercial passengers on commercial trips. A  
26           commercial whitewater outfitter using a whitewater craft on any  
28           stretch of river for which a specific allocation is required,  
30           including days for which an allocation is not required, and  
32           carrying a person other than a commercial passenger or commercial  
34           whitewater guide shall file a noncommercial passenger  
36           registration form with the department before launching the  
38           craft. The form must list the persons who are not commercial  
40           guides or commercial passengers, state that the persons listed  
42           are not commercial guides or commercial passengers and be signed  
44           by each person listed.

46           14. Noncommercial trips permitted. Except as provided in  
          section 7365-A, a person who does not hold a commercial  
          whitewater outfitter license may use a whitewater craft for  
          noncommercial purposes on any stretch of river for which a  
          specific allocation is required under this subchapter for  
          commercial trips.

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

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## SUMMARY

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This bill repeals the requirement that noncommercial whitewater rafters register before taking trips on stretches of rivers for which allocations are made for commercial whitewater trips. It reenacts under a new subsection of the statutes an existing requirement that commercial whitewater outfitters must register noncommercial passengers who travel on commercial whitewater trips that take place along stretches of river regulated by commercial allocations.