

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 586

S.P. 167

In Senate, February 6, 2001

An Act to Clarify the Testing Process for the Licensing of Guides.

Submitted by the Department of Inland Fisheries and Wildlife pursuant to Joint Rule 204.
Reference to the Committee on Inland Fisheries and Wildlife suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator KILKELLY of Lincoln.
Cosponsored by Representative DUNLAP of Old Town and
Senator CARPENTER of York, Representatives: CLARK of Millinocket, COTE of Lewiston,
PERRY of Bangor, SCHNEIDER of Durham, THOMAS of Orono, TRACY of Rome,
TUTTLE of Sanford.

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

4 **Sec. 1. 12 MRSA §7313, sub-§6**, as amended by PL 1997, c. 432, §35, is repealed and the following enacted in its place:

6 6. Oral examination. If an oral examination is
8 administered, the exam must be conducted by at least 2 trained
10 examiners designated pursuant to section 7320, subsection 2,
paragraph D who are approved by the commissioner or members of
the Advisory Board for the Licensing of Guides.

12 **Sec. 2. 12 MRSA §7320**, as amended by PL 1995, c. 667, Pt. A,
14 §26, is further amended to read:

16 **§7320. Advisory board**

18 **1. Members.** The Advisory Board for the Licensing of
20 Guides, established by Title 5, section 12004-I, subsection 23,
~~shall consist~~ consists of the following ~~7~~ 8 members:

22 A. One subordinate officer of the department designated by
the commissioner;

24 B. Two wardens of the department; and

26 C. Four representatives of the public, with no more than 3
28 holding a license under this subchapter, to be appointed by
the Governor for a term of 3 years to reflect a wide
30 diversity of guiding experience. At least 2 members ~~shall~~
must be chosen for their expertise in outdoor recreation.
The public members ~~shall~~ must be compensated as provided in
32 Title 5, chapter 379+; and

34 D. One marine patrol officer of the Department of Marine
Resources.

36 **2. Duties.** The board has the following duties:

38 A. To provide advice and consent regarding rules proposed
40 by the commissioner;

42 B. At the request of the commissioner, to conduct oral
44 examinations of applicants for guide licenses; and

46 C. To advise the commissioner on granting and revoking
guide licenses+; and

48 D. At the board's discretion, to designate examiners for
the purpose of conducting oral examinations pursuant to
50 section 7313, subsection 6. Examiners must be selected from

2 active or retired members of the Bureau of Warden Service,
3 current or former advisory board members, active or retired
4 members of the marine patrol or currently licensed Maine
5 guides. Designated examiners are entitled to compensation
6 under the same provisions as the advisory board.

7 **3. Quorum.** Five members of the board constitute a quorum.
8

10 **SUMMARY**

11 This bill adds a member to the Advisory Board for the
12 Licensing of Guides and authorizes the board to designate certain
13 persons to assist in the oral examination process and provides
14 for compensation for persons so designated by the board.
15
16