

# 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)

SMG  
0000

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35

Date: 4/6/11

Majority

L.D. 378  
(Filing No. H-75)

**INLAND FISHERIES AND WILDLIFE**

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
125TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 304, L.D. 378, Bill, "An Act To Allow the Transfer of Whitewater Rafting Allocations When Water Levels in a River Are Not Suitable for Whitewater Rafting"

Amend the bill by striking out the title and substituting the following:

**'An Act To Allow the Transfer of Commercial Whitewater Rafting Trips under Extenuating Conditions'**

Amend the bill in section 1 in paragraph A by striking out all of subparagraph (3) (page 1, lines 30 to 38 in L.D.) and inserting the following:

~~'(3) Under high water or low water conditions on the West Branch Penobscot River, an emergency swap of an allocation may be made to the Kennebec River, as long as sufficient water is available there. Under no circumstances is a transfer of an allocation allowed from the Kennebec River to the West Branch Penobscot River.~~

'(3-A) Under extenuating circumstances as determined by the commissioner, the commissioner may allow the emergency transfer of a commercial whitewater rafting trip from a rapidly flowing river to another rapidly flowing river as long as sufficient water is available in the river to which the commercial whitewater rafting trip is to be transferred. Notwithstanding subsection 3, the commissioner may allow the recreational use limits to be exceeded pursuant to this subparagraph. Under no circumstances is a transfer of a whitewater rafting trip allowed to the West Branch Penobscot River. The department shall report annually to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters regarding the implementation of this subparagraph.'

**SUMMARY**

This amendment provides that the Commissioner of Inland Fisheries and Wildlife under extenuating circumstances may allow the emergency transfer of a commercial

**COMMITTEE AMENDMENT**

RO'S

1 whitewater rafting trip from a rapidly flowing river to another rapidly flowing river as  
2 long as sufficient water is available in the river to which the commercial whitewater  
3 rafting trip is to be transferred. It also directs the department to report annually to the  
4 joint standing committee of the Legislature having jurisdiction over inland fisheries and  
5 wildlife matters regarding the implementation of the emergency transfer of commercial  
6 whitewater rafting trips.

7

**FISCAL NOTE REQUIRED**

8

(See attached)



# 125th MAINE LEGISLATURE

LD 378

LR 1163(02)

**An Act To Allow the Transfer of Whitewater Rafting Allocations When Water Levels in a River Are Not Suitable for Whitewater Rafting**

**Fiscal Note for Bill as Amended by Committee Amendment "A"**

**Committee: Inland Fisheries and Wildlife**

**Fiscal Note Required: Yes**

---

## Fiscal Note

Minor cost increase - General Fund

### Fiscal Detail and Notes

Additional costs to the Department of Inland Fisheries and Wildlife associated with determining circumstances under which transfers of commercial whitewater rafting trips are allowed and reporting annually regarding this determination can be absorbed with existing staff and within existing budgeted resources.