

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1984 to June 20, 1985

Chapters 1-384

PUBLISHED BY THE REVISOR OF STATUTES IN ACCORDANCE WITH
MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 163-A,
SUBSECTION 4.

J.S. McCarthy Co., Inc.
Augusta, Maine
1986

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND TWELFTH LEGISLATURE

1985

CHAPTER 29

H.P. 91 - L.D. 111

AN ACT to Establish a Uniform Fee for Whitewater Guides Licenses.

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

Whereas, the license fee schedule for whitewater guides differentiates between residents, nonresidents and aliens; and

Whereas, the constitutionality of this license fee schedule is currently being challenged in the United States District Court; and

Whereas, the pending lawsuit could result in considerable expense to the Department of Inland Fisheries and Wildlife; and

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,

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

Sec. 1. 12 MRSA §7301, sub-§6, as repealed and replaced by PL 1979, c. 543, §26, is amended to read:

6. Classification. The commissioner shall establish classifications of guide licenses, including general guides, whitewater guides and other specialized categories he may designate.

Sec. 2. 12 MRSA §7363, sub-§12, as enacted by PL 1983, c. 502, §4, is amended to read:

12. Whitewater guide. "Whitewater guide" means a person who receives any remuneration for accompany-

ing, assisting or instructing passengers on the river on whitewater trips, and who holds a current whitewater guide's license in the whitewater classification.

Sec. 3. 12 MRSA §7366, as enacted by PL 1983, c. 502, §4, is repealed and the following enacted in its place:

§7366. Whitewater guide license

1. Eligibility. No person may act as a whitewater guide until he is 18 years of age or older and has procured a license from the commissioner pursuant to this section.

2. Rules. The commissioner shall by rule establish the requirements for a whitewater guide's license.

3. Examination. All initial applicants for a whitewater guide's license shall be required to pass an examination developed and administered by the commissioner.

4. Fee. The annual fee for a whitewater guide's license shall be \$25. All license fees shall be credited to the department and used in accordance with section 7074.

5. Renewal. A whitewater guide whose license is not suspended or revoked may renew that license annually upon the payment of the annual fee. Completion and passage of the whitewater guide's examination is not a requirement for renewal.

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

Effective March 21, 1985.

CHAPTER 30

H.P. 64 - L.D. 82

AN ACT to Clarify the Procedure for Preparing
Ballots for Municipal Elections.