

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND ELEVENTH LEGISLATURE  
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE  
BILL SUMMARIES  
JUNE 1984

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees of the Maine Legislature, covering the Second Regular Session of the 111th Legislature. The summaries are arranged alphabetically, and indexed separately by committee.

STATE OF MAINE  
ONE HUNDRED AND ELEVENTH LEGISLATURE  
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE ON  
FISHERIES AND WILDLIFE  
BILL SUMMARY



MAY, 1984

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<u>LD</u>	<u>TITLE</u>	<u>SPONSOR</u>	(COMMITTEE REPORT) <u>DISPOSITION</u>
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OTHER BILLS OF INTEREST TO THE COMMITTEE

FROM the Joint Select Committee on Whitewater Rafting

<u>LD</u>	<u>TITLE</u>	<u>SPONSOR</u>	(COMMITTEE REPORT) <u>DISPOSITION</u>
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<b>2367</b>	AN ACT TO AMEND THE LAWS CONCERNING COMMERCIAL WHITEWATER RAFTING	Pearson	PL 1983, c. 786
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SUMMARY: This bill, a new draft of LD 1098 amends the commercial white-water rafting law as follows:

1. Corrects a reference to "licenses" to read more correctly as "Allocations."
2. Amends the life jacket requirement to apply only to passengers and requires type V life jackets for all passengers. A type I life jacket is not as safe as a type V life jacket and will no longer be permitted for passengers.
3. Corrects language prohibiting operation without an allocation to include a prohibition on operation in excess of an allocation.
4. Repeals the 1983 allocation procedure which is no longer needed.
5. deletes the requirement that an outfitter give 30-days notice to abandon an allocation. It also amends the allocation process to allow allocations for a period of up to 3 years and to permit the awarding of allocations, with at least one public hearing required, instead of promulgation of allocations by rule, with at least 2 public hearings required. The effective date of this provision was delayed to apply only to allocations awarded after the 1984 rafting season.
6. Deletes the mandatory evaluation of financial stability as a part of the allocation process and grants the department authority to require a surety bond in an amount sufficient to cover customers' deposits and authority to require evidence of financial stability, if necessary, prior to granting an allocation. It also provides confidentiality for all financial information submitted as part of the allocation process, except where necessary, to attorneys for a party challenging an allocation decision of the department. To protect the competitive integrity of each outfitter, this information may be revealed to the attorney's client.
7. Allows unallocated use of rivers during April, the first 17 days in May, the last 16 days in September and October so long as the recreational use limit has not been reached. Clarifies the authority of the department to provide allocations for previously unallocated periods of time if the recreational use limit of a river during that period is in danger of being reached.

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8. Prohibits use of the department allocation rating for advertising purposes. This effective date of this provision was delayed until after the 1984 rafting season.
9. Creates a civil penalty for violations as an alternative to loss of license or allocation.
10. Clarifies the authority of the Department of Inland Fisheries and Wildlife to review an outfitter's performance under the terms of their allocation and permits the department to review allocations when ownership of an outfitter changes.