

126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 652

H.P. 444

House of Representatives, February 26, 2013

Resolve, To Establish the Advisory Committee To Update Rules Regulating Commercial Whitewater Rafting

(EMERGENCY)

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

Millicent M. Macfarland MILLICENT M. MacFARLAND

Clerk

Presented by Representative McCABE of Skowhegan.

1 2	Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and
3 4 5	Whereas, the Advisory Committee To Update Rules Regulating Commercial Whitewater Rafting is created in this resolve to review and propose updates to the rules regulating commercial whitewater rafting; and
6 7 8	Whereas, the advisory committee must be established before the 90-day period expires in order that the review may be completed and a report submitted in time for submission to the next legislative session; and
9 10 11 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, be it
13 14 15 16	Sec. 1. Advisory Committee To Update Rules Regulating Commercial Whitewater Rafting established. Resolved: That, notwithstanding Joint Rule 353 the Advisory Committee To Update Rules Regulating Commercial Whitewater Rafting referred to in this resolve as "the advisory committee," is established; and be it further
17 18	Sec. 2. Advisory committee membership. Resolved: That the advisory committee consists of 11 members appointed as follows:
19	1. Five members appointed by the President of the Senate as follows:
20	A. One member of the Senate;
21 22	B. One member from the Department of Inland Fisheries and Wildlife, from a list of nominees provided by the Commissioner of Inland Fisheries and Wildlife;
23 24	C. One member who represents a commercial whitewater outfitter that receives allocations pursuant to the Maine Revised Statutes, Title 12, chapter 929;
25	D. One member who represents a small commercial whitewater outfitter; and
26	E. One member who represents the interests of the fishing community; and
27 28	2. Six members appointed by the Speaker of the House of Representatives as follows:
29	A. Two members of the House of Representatives;
30 31	B. One member from the Department of Inland Fisheries and Wildlife, from a list of nominees provided by the Commissioner of Inland Fisheries and Wildlife;
32 33	C. One member who represents a commercial whitewater outfitter that does not receive allocations;
34	D. One member who represents a large commercial whitewater outfitter; and
35 36	E. One member who represents the interests of landowners along the inland waters of the State; and be it further

1 2 3	Sec. 3. Chairs. Resolved: That the Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the advisory committee; and be it further
4 5 6 7 8 9	Sec. 4. Appointments; convening of advisory committee. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the advisory committee. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the advisory committee to meet and conduct its business; and be it further
12 13 14	Sec. 5. Duties. Resolved: That the advisory committee shall review and propose updates to the rules regulating the commercial whitewater rafting industry; and be it further
15 16	Sec. 6. Staff assistance. Resolved: That the Legislative Council shall provide necessary staffing services to the advisory committee; and be it further
17 18 19 20	Sec. 7. Report. Resolved: That, no later than December 4, 2013, the advisory committee shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Second Regular Session of the 126th Legislature.
21 22	Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.
23	SUMMARY
24 25	This resolve establishes the Advisory Committee To Update Rules Regulating Commercial Whitewater Rafting.