

§10156. Advisory Board for the Licensing of Whitewater Guides

1. Members. The Advisory Board for the Licensing of Whitewater Guides, referred to in this section as the "board" and established by Title 5, section 12004-I, subsection 23-B, consists of the following 10 members:

- A. The commissioner or an employee of the department who is the commissioner's designee; [PL 2003, c. 414, Pt. A, §2 (NEW); PL 2003, c. 614, §9 (AFF).]
- B. One warden or retired warden of the department, appointed by the commissioner; and [PL 2003, c. 414, Pt. A, §2 (NEW); PL 2003, c. 614, §9 (AFF).]
- C. Eight persons representing the public who are licensed whitewater guides, appointed by the Governor for staggered terms of 3 years. In making appointments under this paragraph, the Governor shall ensure that those appointments establish and maintain a wide diversity of whitewater guide experience on the State's rapidly flowing rivers. A person who holds a commercial whitewater outfitter's license is ineligible for appointment to the board. At least 5 persons appointed under this paragraph must have expertise in whitewater rafting on both the Kennebec River and the West Branch of the Penobscot River, including the cribworks. [PL 2003, c. 614, §9 (AFF); PL 2003, c. 655, Pt. B, §35 (AMD); PL 2003, c. 655, Pt. B, §422 (AFF).] [PL 2003, c. 614, §9 (AFF); PL 2003, c. 655, Pt. B, §35 (AMD); PL 2003, c. 655, Pt. B, §422 (AFF).]

2. Compensation. Members who are not employed by the department are entitled to compensation as provided in Title 5, chapter 379.

[PL 2003, c. 414, Pt. A, §2 (NEW); PL 2003, c. 614, §9 (AFF).]

3. Duties. The board has the following duties:

- A. To provide advice regarding rules proposed by the commissioner; [PL 2003, c. 414, Pt. A, §2 (NEW); PL 2003, c. 614, §9 (AFF).]
- B. At the request of the commissioner, to conduct an examination of applicants for the whitewater guide's license as provided in section 12909, except that oral examinations are conducted by 2 members; [PL 2007, c. 651, §3 (AMD).]
- C. To advise the commissioner on granting and revoking whitewater guide's licenses; and [PL 2007, c. 651, §4 (AMD).]
- D. To advise the commissioner on establishing and reviewing safety requirements for whitewater trips, developing a safety information program and reviewing the safety record of whitewater guides and outfitters. [PL 2007, c. 651, §5 (NEW).] [PL 2007, c. 651, §§3-5 (AMD).]

4. Quorum. Five members of the board constitute a quorum.
[PL 2003, c. 414, Pt. A, §2 (NEW); PL 2003, c. 614, §9 (AFF).]

SECTION HISTORY

PL 2003, c. 414, §A2 (NEW). PL 2003, c. 414, §D7 (AFF). PL 2003, c. 614, §9 (AFF). PL 2003, c. 655, §B35 (AMD). PL 2003, c. 655, §B422 (AFF). PL 2007, c. 651, §§3-5 (AMD).

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