

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND TWENTY-THREE

S.P. 538 - L.D. 1319

An Act to Exempt Certain Boat Operators from Having to Become Maine Guides

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

Whereas, the economy of the State is reliant on many seasonal businesses that are open only a limited number of months during the calendar year; and

Whereas, if the business of a seasonal business is disrupted, even for a brief period of time, it can be financially disastrous for the business due to the condensed period of time for the business to garner revenue; and

Whereas, the business season for a summer seasonal business will be over before the expiration of the 90-day period; 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 §12853, sub-§7, ¶D is enacted to read:

D. A person who has satisfactorily completed a boater safety education course under section 13063 and is certified in first aid under subsection 4, paragraph C may, without a guide license, operate a watercraft in the course of employment with a seasonal business engaged in recreational tow-sport activities if that seasonal business was engaged in recreational tow-sport activities during the 2022 season. This paragraph is repealed January 15, 2024.

Sec. 2. Review. The Department of Inland Fisheries and Wildlife shall establish a stakeholder group to examine the guide requirements for recreational sports.

Sec. 3. Stakeholder group. The Department of Inland Fisheries and Wildlife shall ensure that the stakeholder group established under section 2 is as broadly representative of interested parties and groups as possible and shall invite participation from at least the

following: the Maine Professional Guides Association, the Maine Marine Trades Association and governmental and nongovernmental organizations related to recreational tow sports in this State.

Sec. 4. Report. The Department of Inland Fisheries and Wildlife shall report the findings and recommendations of the stakeholder group established under section 2 to the Joint Standing Committee on Inland Fisheries and Wildlife no later than January 15, 2024. The committee may report out a bill related to recreational guide requirements to the Second Regular Session of the 131st Legislature.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.