

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND SECOND LEGISLATURE

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Legislative Document

No. 1552

H. P. 1133

House of Representatives, May 18, 1965

Reported by Mr. Richardson, from Committee on Judiciary. Printed under Joint Rules No. 10.

JEROME G. PLANTE, Clerk

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-FIVE

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**AN ACT Relating to Shooting Human Being While Hunting.**

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

**R. S., T. 12, § 2953, amended.** Section 2953 of Title 12 of the Revised Statutes is amended to read as follows :

**‘§ 2953. Shooting human being while hunting ; penalty**

Whoever, while on a hunting trip or in the pursuit of wild game or game birds, negligently or carelessly shoots and wounds, or kills any human being, shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than 11 months. **The commissioner, upon receiving a written report of the wounding or killing of a human being, may revoke or suspend the current hunting license or the right to hunt or the right to obtain a hunting license, for a period not to exceed 5 years, of any person who, while on a hunting trip or in the pursuit of wild game or game birds, is alleged to have shot and wounded or killed said human being. Concurrent with the notice of the revocation or suspension of the said person's current hunting license or right to hunt or right to obtain a hunting license, the commissioner shall send to the person accused of any such offense, a written notice by certified mail or registered mail, to the address given by such person in his application for a hunting license, of a hearing to be held in not less than 10 days, which notice shall contain the time and place of hearing and a brief statement of the facts alleged to have happened. After hearing, the commissioner may affirm or modify the revocation or suspension of the hunting license for the current year of such person and may also deny to such person the right to hunt or the right to obtain a hunting license for a period not to exceed 5 years. A person aggrieved by the commissioner's decision may appeal to the Superior Court in the county where the hearing is held, by filing a complaint with the**

clerk of courts and sending a copy of the complaint to the commissioner. The complaint shall be filed within 30 days of the commissioner's decision. The court shall review the hearing record and may affirm, reverse or modify the commissioner's decision. ~~The hunting license of any such person convicted under this section shall be immediately revoked by the commissioner upon receipt of an attested copy of the court records and such person shall not thereafter be privileged to procure a hunting license. Such license shall not be revoked pending appeal.~~

Any such person whose hunting license has been revoked or suspended, or whose right to hunt or the right to obtain a hunting license for a period not to exceed 5 years has been denied, ~~upon conviction of violating this section~~ may, after the expiration of one year from the date of such revocation or suspension, petition the commissioner for restoration of his privilege to procure such a license. The commissioner, after hearing and after his determination that public safety will not be endangered by the restoration to the petitioner of such privilege, may restore the same. If the commissioner disallows such a petition and thereby refuses to grant the restoration of such privilege, the petitioner may appeal to the commissioner's advisory council which, after hearing on said petition, may allow the same and restore such privilege.'