

# MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

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ONE HUNDRED AND FOURTH LEGISLATURE

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**Legislative Document**

**No. 1631**

S. P. 556

In Senate, January 6, 1970

Committee on Natural Resources suggested.

HARRY N. STARBRANCH, Secretary

Presented by Senator Bernard of Androscoggin.

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**STATE OF MAINE**

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
AND SEVENTY

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**AN ACT Relating to Enforcement by Sea and Shore Fisheries and the  
Maine Mining Bureau.**

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

**Sec. 1. R. S., T. 12, § 3752, sub-§ 6, amended.** Subsection 6 of section 3752 of Title 12 of the Revised Statutes is amended to read as follows:

**6. Suspension when judgment of guilt appealed.** When an appeal has been taken from any ~~conviction~~ **judgment of guilt** of any violation of any provisions of chapters 401 to 417, or of any regulation adopted under authority of chapters 401 to 417, the commissioner may suspend, until final court disposition, the license, permit or right thereto of the respondent to conduct the particular activity in which he was engaged at the time of the alleged violation, and the commissioner may suspend for the same period any and all licenses and permits held by the respondent, and any and all rights he has to obtain such licenses or permits.

**A. A person, whose license, permit or right is suspended under this section, is entitled to a hearing upon written request to the commissioner. The commissioner shall set a time and place for said hearing which is to be held within 20 days after receipt by him of the request.**

(1) **At the hearing the person applying for reinstatement of his license, permit or right may present any relevant facts concerning the alleged violation.**

(2) **The commissioner may reinstate the license, permit or right if he is satisfied to do so would be in the interest of justice.**

**Sec. 2. R. S., T. 10, § 2155, amended.** The 2nd paragraph of section 2155 of Title 10 of the Revised Statutes, as enacted by chapter 301 of the public laws of 1969, is amended to read as follows:

The bureau is authorized and it is its duty to prevent waste of oil and gas and related materials to protect correlative rights, and to prevent pollution, **to make such regulations, issue such permits and collect such fees as are necessary to the proper administration of this Act,** and otherwise to administer and enforce this Act. It has jurisdiction over all persons and property necessary for that purpose.