

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 1078
6

7 S.P. 357

In Senate, March 7, 1983

8 Submitted by the Department of Inland Fisheries and Wildlife pursuant to
9 Joint Rule 24.

10 Referred to the Committee on Fisheries and Wildlife. Sent down for
concurrency and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate
Presented by Senator Usher of Cumberland.

11 Cosponsors: Representative MacEachern of Lincoln, Representative Clark
of Millinocket and Representative Kelly of Camden.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT Pertaining to License Revocation
18 Notices Issued by the Commissioner of Inland
19 Fisheries and Wildlife.
20

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

23 Sec. 1. 12 MRSA §7001, sub-§13-A is enacted to
24 read:

25 13-A. Habitual violator. "Habitual violator"
26 means any person whose record, as maintained by the
27 department, shows that the person has been convicted
28 of 5 or more of the prohibited acts contained in
29 chapters 701 to 721 within the previous 5-year
30 period, provided that, whenever more than one prohib-
31 ited act is violated at the same time, multiple con-
32 victions shall be considered as one offense. For
33 purposes of this subsection, records maintained by
34 the department shall commence on January 1, 1984.

1 Sec. 2. 12 MRSA §7077, sub-§7 is enacted to
2 read:

3 7. Notification. The commissioner shall send a
4 written notice to any person whose license or permit
5 has been revoked or suspended as the result of provi-
6 sions contained in chapters 701 to 721

7 The notice shall explain the type of license or
8 permit which has been revoked or suspended, the
9 length and effective date of the suspension or revo-
10 cation and any opportunity for a hearing.

11 Service of the notice shall be sufficient if sent by
12 first class mail to the address given by the person
13 named in the notice.

14 Sec. 3. 12 MRSA §7079 is enacted to read:

15 §7079. License revocation of habitual violator

16 1. Conviction of violation. If any habitual
17 violator, as defined in section 7001, subsection
18 13-A, is convicted of a violation of any provision of
19 chapters 701 to 721, the commissioner shall revoke
20 all licenses and permits held by that person, includ-
21 ing that person's privilege to obtain any license or
22 permit issued by the department, for a period of 3
23 years.

24 2. Hearing provisions.

25 A. Any person whose licenses and permits have
26 been revoked under this section may, within 30
27 days of the effective date of the revocation,
28 petition for a hearing before the commissioner to
29 show cause why his licenses and permits should
30 not be revoked.

31 B. If, after the hearing, the commissioner finds
32 that the person's record does not bring him
33 within the definition of an habitual violator,
34 the revocation shall be rescinded. If the com-
35 missioner finds that the person's record does
36 bring him within the definition of an habitual
37 violator, the revocation shall remain in effect.
38 If the petitioner denies any of the facts con-

1 This bill establishes a uniform procedure for the
2 notification of persons whose licenses or permits are
3 being revoked.

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