

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 736

S.P. 274

In Senate, February 28, 2013

**An Act To Establish the Review Board of Appeals To Review the
Denial of Hunting and Fishing Licenses**

Reference to the Committee on Inland Fisheries and Wildlife suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator JACKSON of Aroostook.
Cosponsored by Representative WOOD of Sabattus and
Senators: DUTREMBLE of York, HASKELL of Cumberland, PATRICK of Oxford,
SAVIELLO of Franklin, Representatives: McCABE of Skowhegan, SHAW of Standish.

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

2 **Sec. 1. 5 MRSA §12004-I, sub-§49-D** is enacted to read:

3 **49-D.**

4 Inland Fisheries Review Board of Not Authorized 12 MRSA §10158
5 and Wildlife Appeals

6 **Sec. 2. 12 MRSA §10158** is enacted to read:

7 **§10158. Review Board of Appeals**

8 The Review Board of Appeals for the review of hunting and fishing license denials is
9 established by Title 5, section 12004-I, subsection 49-D and referred to in this section as
10 "the board."

11 **1. Membership.** The 3-member board consists of the commissioner or the
12 commissioner's designee, the Commissioner of Public Safety or the commissioner's
13 designee and the Attorney General or the Attorney General's designee.

14 **2. Staff assistance.** The department shall provide staff assistance as necessary.

15 **3. Duties.** Upon petition by the department or a person denied a license or permit
16 that may be issued pursuant to subpart 4, the board shall conduct a hearing to review the
17 denial and consider information presented at that hearing by the department and the
18 aggrieved party. Based on information obtained at the hearing, the board may
19 recommend to the department that it sustain or rescind the department's denial of the
20 permit or license or recommend any other remedy the board determines reasonable.

21 **4. Quorum.** Two members of the board constitute a quorum for the transaction of
22 business.

23 **5. Compensation.** Members of the board are not entitled to compensation.

24 **6. Rules.** The commissioner may adopt rules to implement the provisions of this
25 section. Rules adopted pursuant to this subsection are routine technical rules as defined
26 in Title 5, chapter 375, subchapter 2-A.

27 **SUMMARY**

28 This bill establishes the Review Board of Appeals within the Department of Inland
29 Fisheries and Wildlife to review hunting and fishing license denials by the department.