

MAINE STATE LEGISLATURE

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N I N E T Y - F I F T H L E G I S L A T U R E

Legislative Document

No. 372

H. P. 653

House of Representatives, February 1, 1951.

Referred to the Committee on Sea and Shore Fisheries, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Stevens of Boothbay.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-ONE

AN ACT Relating to Revocation and Suspension of Sea and Shore Fisheries Licenses.

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

Sec. 1. R. S., c. 34, § 131, 1st ¶, repealed. The 1st paragraph of section 131 of chapter 34 of the revised statutes, as revised, is hereby repealed.

Sec. 2. R. S., c. 34, § 131, 2nd ¶, repealed and replaced. The 2nd paragraph of section 131 of chapter 34 of the revised statutes, as revised, is hereby repealed and the following enacted in place thereof:

‘On conviction of any person holding a license or licenses issued under the provisions of this chapter for the violation of any of the sections of this chapter, excepting sections 90 and 121, or of any rule and regulation of the commissioner, the commissioner may revoke or suspend any such license or licenses or right thereto, for any period not exceeding 6 months from the date of final conviction; and on conviction of a second violation of any provisions of this chapter, excepting sections 90 and 121, or of any rule and regulation of the commissioner, the commissioner may revoke or suspend any such license or licenses or right thereto, for any period not exceeding 9 months from the date of final conviction.’

Sec. 3. R. S., c. 34, § 131, 3rd ¶, amended. The 3rd paragraph of sec-

tion 131 of chapter 34 of the revised statutes, as revised, is hereby amended to read as follows:

'Any person whose license or licenses have been revoked under the provisions of the ~~and~~ 1st paragraph of this section may request a hearing by the commissioner, at which hearing all the facts concerning the violation shall be presented and the license or licenses may be reinstated.'

Sec. 4. R. S., c. 34, § 131, 5th ¶, amended. The 5th paragraph of section 131 of chapter 34 of the revised statutes, as revised, is hereby amended to read as follows:

'If, at the time of committing a violation of any of the provisions of this chapter or of any rules and regulations of the commissioner, the offender shall not be the holder of a license to conduct the particular activity in which he was engaged at the time of such violation, the commissioner shall not issue such a license to said person until ~~2 months~~ 15 days have elapsed from the date of final determination of any complaint or legal proceedings instituted as a result of the violation.'

Sec. 5, R. S., c. 34, § 131, 6th ¶, repealed and replaced. The 6th paragraph of section 131 of chapter 34 of the revised statutes, as revised, is hereby repealed and the following enacted in place thereof:

'On conviction of a 3rd or subsequent violation of any provisions of this chapter, excepting sections 90 and 121, or of any rule and regulation of the commissioner, the commissioner shall revoke or suspend any such license or licenses or right thereto, for a period of 1 year from the date of the final conviction.'

Provided, however, if at the time of any conviction there has been an interval of at least 7 consecutive years from the date of the last previous conviction, the current violation shall be deemed a first violation for the purposes of this section.'