

MAINE STATE LEGISLATURE

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New Draft of: H. P. 752, L. D. 1038
(New Title)

ONE - HUNDRETH LEGISLATURE

Legislative Document

No. 1554

H. P. 1127

House of Representatives, April 20, 1961

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

HARVEY R. PEASE, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-ONE

AN ACT Amending Law Providing for Additional Court Review in Public Utility Cases.

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

R. S., c. 44, § 69, amended. Section 69 of Chapter 44 of the Revised Statutes is amended by adding a new paragraph to read as follows:

'No evidence beyond that contained in the record of the proceedings had before the commission shall be introduced before the court, except that in cases where issues of confiscation or of constitutional right are involved the court may order such additional evidence as it deems necessary for the determination of such issues to be taken before the commission upon such terms and conditions as to the court may seem proper. Whenever the court shall order additional evidence to be taken, the commission shall promptly hear and report such evidence to the court, so that the proof may be brought as nearly as reasonably possible down to the date of its report thereof to the court. The commission may, after hearing such evidence, modify its findings as to facts and its original decision or orders by reason of the additional evidence so take, and it shall file with the court such amended decision or orders and such modified or new findings. If the commission shall modify or amend its original decision or orders, the appealing party or any other party aggrieved by such modified or amended decision or order may file with the court, within such time as the court may allow, a specification of errors claimed to have been made by the commission in such modified decision or orders, which specification of errors shall thereupon be considered by the court in addition to the errors asserted in the original complaint on appeal.'