

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND THIRD LEGISLATURE

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**Legislative Document**

**No. 1685**

H. P. 1185

House of Representatives, May 26, 1967

Reported by Mr. Foster, from Committee on Judiciary. Printed under Joint Rules No. 18.

BERTHA W. JOHNSON, Clerk

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-SEVEN

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**AN ACT Relating to Additional Appeals Under Liquor**

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

**Sec. 1. R. S., T. 28, § 402, amended.** The first paragraph of section 402 of Title 28 of the Revised Statutes is repealed and the following enacted in place thereof:

If any person is aggrieved by the decision of the Administrative Hearing Commissioner in revoking or suspending any license issued by the commission, he may within 30 days thereafter appeal to the Superior Court of the county wherein the alleged offense occurred for a trial de novo. Pending judgment of the Superior Court, the decision of the Administrative Hearing Commissioner in revoking or suspending any license shall be suspended, if notice of appeal is given to the commission within 20 days of the sending of the decision of the Administrative Hearing Commissioner by registered or certified mail to the address given by the licensee at the time of his application for a license.

If any person is aggrieved by refusal of the commission to issue any license applied for, he may within 20 days thereafter appeal to the Superior Court in the county where the premises of the applicant is located for a trial de novo. Said appeal shall be made by filing a complaint.

The 20-day period of appeal shall commence on the effective date of any suspension or revocation of a license, and, in the case of refusal of the commission to issue license, on the day when the commission sends by registered or certified mail to the applicant at the address of his business given in his application for license. Filing appeal in the Superior Court shall stop the running of the limitation period. The court shall forthwith fix a time and place for

immediate hearing and cause notice thereof to be given to the commission. After hearing, the court may affirm, modify or reverse the decision of the Administrative Hearing Commissioner.

Sec. 2. R. S., T. 28, § 403, repealed. Section 403 of Title 28 of the Revised Statutes, as amended by section 2 of chapter 99 of the public laws of 1965, is repealed.