

MAINE STATE LEGISLATURE

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SEVENTY-EIGHTH LEGISLATURE

HOUSE

NO. 388

House of Representatives, Feb. 23, 1917.

Printed under joint rules.

W. R. ROIX, Clerk.

Presented by Mr. Farrington of Augusta.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND SEVENTEEN

AN ACT amendatory of the existing law relating to review by
the Supreme Judicial Court of certain orders, decrees and
decisions of the Public Utilities Commission.

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

Section 55 of Chapter 55 of the revised statutes is hereby
2 amended by adding to the second sentence thereof the words,
3 'provided, however, that said commission may, and shall
4 unless it certifies that the public interest does not require
5 it, prepare and file with said arguments and exceptions a
6 brief or argument in support of the ruling excepted to, and
7 for that purpose may withhold said arguments and excep-

8 tions ten days after they have been delivered to the clerk
9 as aforesaid; and provided, further, that in all complaints
10 and investigations instituted or prosecuted by the commis-
11 sion on its own motion it, as well as any persons made par-
12 ties of record in support of the side in whose favor said
13 ruling is made, shall be deemed an opposing party for the
14 aforesaid purposes,' so that said section, as amended, shall
15 read as follows:

'Sect. 55. Questions of law may be raised by alleging ex-
2 ceptions to the ruling of the commission on an agreed state-
3 ment of facts, or on facts found by the commission, and such
4 exceptions shall be allowed by the chairman of the com-
5 mission and certified by the clerk thereof to the chief justice
6 of the supreme judicial court with the arguments of coun-
7 sel, if any have been received by him, within sixty days after
8 such exceptions have been allowed. The party raising such
9 questions shall, within thirty days thereafter deliver a copy
10 of his argument to the opposing counsel, who shall within
11 twenty days after receiving the same furnish a copy of his
12 answer to the counsel for the moving party, who shall in
13 turn make reply thereto within ten days thereafter, and de-
14 liver said arguments to the clerk of the commission to be
15 forwarded with the exceptions to the chief justice; provided,
16 however, that said commission may, and shall unless it cer-
17 tifies that the public interest does not require it, prepare and
18 file with said arguments and exceptions a brief or argument
19 in support of the ruling excepted to, and for that purpose

20 may withhold said arguments and exceptions ten days after
21 they have been delivered to the clerk as aforesaid; and pro-
22 vided, further, that in all complaints and investigations insti-
23 tuted or prosecuted by the commission on its own motion it,
24 as well as any persons made parties of record in support
25 of the side in whose favor said ruling is made, shall be
26 deemed an opposing party for the aforesaid purposes. And
27 such questions of law shall be considered and decided by
28 the law court as soon as may be; or if the parties so agree
29 of record, such questions shall be certified to the next term
30 of the law court to be entered on the docket thereof and
31 argued and determined according to the rules of procedure
32 in said court. The result in either case shall be certified
33 by the clerk of the law court to the clerk of the commission;
34 the prevailing party to recover costs.'