

MAINE STATE LEGISLATURE

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N I N E T Y - S E C O N D L E G I S L A T U R E

Legislative Document

No. 868

H. P. 1243

House of Representatives, February 16, 1945.

Transmitted by revisor of statutes pursuant to joint order

On motion of Miss Deering of Bath taken from the table and on further motion same member referred to the Committee on Federal Relations. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Snow of Auburn.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-FIVE

**AN ACT Amending the Unemployment Compensation Law as to Court
Review of Commission Decisions.**

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

R. S., c. 24, § 6, sub-§ (i), amended. Subsection (i) of section 6 of chapter 24 of the revised statutes is hereby amended to read as follows:

‘(i) **Court review.** Within ~~to~~ 15 days after the decision of the commission has become final, any party aggrieved thereby may secure judicial review thereof by commencing an action in the superior court of Kennebec county against the commission for the review of its decision, in which action any other party to the proceedings before the commission shall be made a defendant. In such action, a petition which need not be verified, but which shall state the grounds upon which a review is sought, shall be served upon the commission or upon such person as the commission may designate and such service shall be deemed completed service on all parties, but there shall be left with the party so served as many copies of the petition as there are defendants and the commissioner shall forthwith mail 1 such copy to each such defendant. With its answer, the commission shall certify

and file with said court the original or certified copies of all documents and papers and a transcript of all testimony taken in the matter, together with its findings of fact and decision therein. The commission may also, in its discretion, certify to such court questions of law involved in any decision by it. In any judicial proceedings under this section, the findings of the commission as to the facts, if supported by evidence and in the absence of fraud, shall be conclusive, and the jurisdiction of said court shall be confined to questions of law. Such actions, and the questions so certified, shall be heard in a summary manner and shall be given precedence over all other civil cases except cases arising under the workmen's compensation law of this state. An appeal may be taken from the decision of the superior court of Kennebec county to the supreme judicial court of the state of Maine, in the same manner, but not inconsistent with the provisions of this act, as is provided in civil cases. It shall not be necessary, in any judicial proceeding under this section, to enter exceptions to the rulings of the commission and no bond shall be required for entering such appeal. Upon the final determination of such judicial proceeding, the commission shall enter an order in accordance with such determination. A petition for judicial review shall not act as a supersedeas or stay unless the commission shall so order.'