

# MAINE STATE LEGISLATURE

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**Legislative Document**

**No. 113**

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H. P. III

House of Representatives, January 22, 1953.

Referred to Committee on Legal Affairs. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Low of South Portland.

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**STATE OF MAINE**

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-THREE

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**AN ACT Revising the Appeal Section of Boxing Commission Law.**

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

**Sec. 1. R. S., c. 78, § 9, amended.** The 3rd sentence of section 9 of chapter 78 of the revised statutes is hereby repealed and the following enacted in place thereof:

**'A full and complete record shall be kept of all proceedings before the commission; said record shall be preserved by the secretary of the commission and shall consist of all testimony, petitions, exhibits and the findings of the commission.'**

**Sec. 2. R. S., c. 78, § 9, amended.** Section 9 of chapter 78 of the revised statutes is hereby amended by repealing the last paragraph thereof.

**Sec. 3. R. S., c. 78, § 9-A, additional.** Chapter 78 of the revised statutes is hereby amended by adding thereto a new section to be numbered 9-A, to read as follows:

**'Sec. 9-A. Appeal. Any person, club, association or corporation aggrieved by the findings of the commission may, within 30 days thereafter, secure judicial review by presenting a petition therefor to the superior court in the county where the hearing was held, in term time or vacation, stating therein the grounds upon which a review is sought, and by caus-**

ing a copy of such petition to be served upon the commission or upon such person as the commission may designate. The justice of said court shall fix a time and place for hearing forthwith and shall cause notice thereof to be given to the appellant and to the commission. 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. Such justice, after hearing, may affirm, modify or reverse the decision of the commission. Pending judgment of the court, the decision of the commission shall remain in full force and effect. Appeal by such aggrieved person to the law court from the decision of the superior court may be taken as in equity cases. Upon such appeal, the proceedings shall be the same as in appeals in equity procedure, and the law court may, after consideration, reverse or modify any decree so made by a justice of the superior court based upon an erroneous ruling or finding of law.'