

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
AS PASSED BY THE
Eighty-ninth and Ninetieth
Legislatures

OF THE
STATE OF MAINE

From April 21, 1939 to April 26, 1941
AND MISCELLANEOUS STATE PAPERS

Published by the Revisor of Statutes in accordance
with the Resolves of the Legislature approved June
28, 1820, March 18, 1840, March 16, 1842, and Acts
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PROPERTY OF THE
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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Ninetieth Legislature

1941

'Such inspection shall be made during the months of ~~May~~ April and ~~November~~ October of each year at an official inspection station, duly appointed and certified as such by the secretary of state. If, at the time of such inspection and before the said vehicle is again operated upon the highway, the condition of said vehicle conforms in each and every respect as required by law, an official sticker as a certificate of inspection furnished by said secretary shall be placed in the upper right-hand corner of the windshield or in the center of the windshield back of the rear mirror. Said inspection shall not apply to motor vehicles owned and registered in another state, provided proper proof is shown of an inspection of such motor vehicle within the period of 6 months prior thereto.'

Approved March 14, 1941

Chapter 73

AN ACT Amending the Law Relating to Unemployment Compensation to Permit Filing of Copies of Documents.

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

P. L., 1935, c. 192, § 6, amended. Subsection (i) of section 6 of chapter 192 of the public laws of 1935, as amended, is hereby further amended to read as follows:

'(i) **Court review.** Within 10 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 proceeding 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 proceeding under this section, the findings of the commission as to the facts, if supported by evidence and in the absence

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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.'

Approved March 14, 1941

Chapter 74

AN ACT Relating to Trapping by Indians.

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

Sec. 1. P. L., 1933, c. 1, § 295-A, amended. Section 295-A of chapter 1 of the public laws of 1933, which was enacted by chapter 212 of the public laws of 1937, is hereby amended to read as follows:

'**Sec. 295-A. Indians to have free hunting, trapping and fishing.** All Indians of over 18 years of age of both the Passamaquoddy and the Penobscot tribes may procure from the commissioner of inland fisheries and game a license to hunt, trap and fish free of charge upon presentation to the commissioner of a certificate from the Indian agent of their respective tribe stating that the person described therein is an Indian and a member of that tribe. Holders of such licenses shall be subject to all the laws of the state and rules and regulations of the commissioner relative to fishing, trapping and hunting, and for violation of said laws of the state or rules and regulations of the commissioner said licenses shall be revoked as provided in chapter 38 of the revised statutes as revised. For the purposes of this section, no person shall be considered an Indian unless his father and mother were Indians.'

Sec. 2. Inconsistent acts repealed or amended. All acts and parts of acts inconsistent with this act are hereby repealed or amended to conform with the provisions hereof.

Approved March 14, 1941