

MAINE STATE LEGISLATURE

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N I N E T Y - S I X T H L E G I S L A T U R E

Legislative Document

No. 1314

S. P. 471

In Senate, March 10, 1953

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

CHESTER T. WINSLOW, Secretary

Presented by Senator Weeks of Cumberland by request.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-THREE

AN ACT Relating to Open Air Drive-In and Summer Stock Theaters.

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

Sec. 1. R. S., c. 88, § 70, sub-§ VI, additional. Section 70 of chapter 88 of the revised statutes is hereby amended by adding thereto a new subsection to be numbered VI, to read as follows:

‘VI. When an open air theater is a drive-in theater, so called, and patrons drive their vehicles into the theater and view the motion picture therefrom, such theater shall be so located as not to create a traffic hazard on any state highway or state aid road; shall be so constructed and equipped as to provide reasonably safe and expeditious means of exit; shall have proper sanitary facilities, proper lighting and shall keep on hand in good condition sufficient fire extinguishers as circumstances reasonably warrant.’

Sec. 2. R. S., c. 88, § 70-A, additional. Chapter 88 of the revised statutes is hereby amended by adding thereto a new section to be numbered 70-A, to read as follows:

‘Sec. 70-A. Regulations authorized. The insurance commissioner shall enforce the provisions of the 6 preceding sections, and he is hereby author-

ized and directed, after public hearing, notice of which has been duly advertised in the state paper, to promulgate reasonable rules and regulations therefor, and such rules and regulations, when approved by the governor and council, and filed with the secretary of state, shall have the force of law in so far as they are not inconsistent with the provisions of this section. Any person or corporation aggrieved by any rule or regulation, or by any order of the commissioner, may appeal therefrom to a justice of the superior court, by presenting to him a petition, within 30 days thereafter, unless a particular statute shall specify a shorter period, setting forth the reasons for the appeal; and such justice shall fix a time and place of hearing in term time or vacation, and cause notice thereof to be given to the commissioner and after a hearing on legally admissible evidence, the justice may affirm, modify or refuse the decree of the commissioner and shall remand the cause to the commissioner for action in accordance with the court decree.'

Sec. 3. R. S., c. 88, § 71, amended. Section 71 of chapter 88 of the revised statutes is hereby amended to read as follows:

'Sec. 71. Penalties. Whoever keeps, uses or operates any cinematograph or similar apparatus contrary to the provisions of the ~~6~~ 7 preceding sections, or whoever violates any provisions of the 7 preceding sections or any lawful rule or regulation thereunder shall be punished by a fine of not less than \$25, nor more than \$500, to be recovered on complaint or indictment to the use of the city or town in which any such violation occurs.'