

# MAINE STATE LEGISLATURE

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May 18, 1955

To George F. Mahoney, Insurance Commissioner  
Re: Traveling Amusement Show

The license issued to a traveling amusement show in accordance with Revised Statutes, Chapter 100, Section 56, is a valuable property right. A licensee may not be deprived of this right without a hearing under the provisions of Amendment XIV to the Constitution of the United States.

R. S., c. 100, sec. 56, further provides that advertising contrary to the provisions of Sections 137, 138 and 150 of Chapter 23, R. S. or of Section 34 of Chapter 131, R.S., shall be a cause for immediate suspension or revocation of such a license. No hearing is required. The reason is that the act of advertising contrary to these sections is a criminal offense which must be proved beyond a reasonable doubt in court. Administration of the statutes relating to outdoor advertising is vested in the State Highway Commission.

It is my advice that the Insurance Commissioner may revoke the license of a traveling amusement show for illegal outdoor advertising only when the licensee has been convicted in a court of competent jurisdiction.

Paul Woodworth  
Assistant Attorney General

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