

# MAINE STATE LEGISLATURE

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(EMERGENCY)  
(New Title)  
New Draft of H. P. 53, L. D. 60

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ONE HUNDRED AND SIXTH LEGISLATURE

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**Legislative Document**

**No. 1962**

H. P. 1532

House of Representatives, May 23, 1973

Reported by Mrs. Baker from Committee on Judiciary and printed under  
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E. LOUISE LINCOLN, Clerk

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-THREE

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**AN ACT to Prohibit Outdoor Motion Picture Theatres from Exhibiting  
Motion Pictures Portraying Certain Sexual Conduct in such a Manner  
that the Exhibition is Visible from Public Ways or Places of Public  
Accommodation.**

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**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, it is essential to the health and welfare of minors that outdoor motion picture theatres be prohibited from exhibiting motion pictures depicting certain sexual conduct which is deemed harmful to minors in such a manner that such exhibition is visible by minors from or in any public street, highway, sidewalk, thoroughfare, private residence or place of public accommodation; and

Whereas, the season of the year in which outdoor motion picture theatres customarily operate has already begun; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

R. S., T. 8, § 665, additional. Title 8 of the Revised Statutes is amended by adding a new section 665, to read as follows:

**§ 665. Exhibitions visible by minors**

Whoever, as owner or manager of an outdoor motion picture theatre, exhibits, with knowledge of its character and content, and in such a manner that the exhibition is visible by minors from or in any public street, highway, sidewalk, thoroughfare, private residence or place of public accommodation, a motion picture which, in whole or in part, depicts nudity, sexual conduct, sexual excitement or sadomasochistic abuse and which is harmful to minors, shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than 11 months, or by both.

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved.

**STATEMENT OF FACT**

The purpose of this Act is stated in the Title.