

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-eighth and Eighty-ninth
Legislatures

OF THE

STATE OF MAINE

From April 24, 1937 to April 21, 1939

AND

MISCELLANEOUS STATE PAPERS

Published by the Secretary of State, in conjunction
with the Revisor of Statutes in accordance with the
Resolves of the Legislature approved June 28, 1820,
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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Eighty-ninth Legislature

1939

CHAP. 178

therein of wine and spirits for consumption on the premises, subject to all provisions of law.

If a majority of the votes cast in a city or town in answer to question (3) are in the affirmative, the commission may issue licenses for the sale of malt liquor to be consumed on the premises therein subject to all provisions of law.

If a majority of the votes cast in a city or town in answer to question (4) are in the affirmative, the commission may issue licenses for the sale of malt liquor not to be consumed on the premises subject to all provisions of law.

If a majority of the votes cast on question (1) are in the negative, the operation of state stores in that city or town for a period of 2 calendar years next following shall be unlawful.

If a majority of the votes cast on question (2) are in the negative, licenses shall not be issued for the sale of wines and spirits for consumption on the premises in that city or town, for the 2 calendar years next following.

If a majority of the votes cast on question (3) are in the negative, licenses for the sale of malt liquor to be consumed on the premises in that city or town shall not be issued, for the 2 calendar years next following.

If a majority of the votes cast on question (4) are in the negative, licenses for the sale of malt liquor not to be consumed on the premises in that city or town shall not be issued for the 2 calendar years next following.

In case of tie vote on any of the preceding questions, the law shall remain as it was before the voting.

Approved April 6, 1939.

Chapter 178

AN ACT Providing for Licenses for Cinematograph, Moving Pictures and Operators.

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

R. S., c. 37, §§ 14, 15, 16, 17, amended. Sections 14, 15, 16, and 17, of chapter 37 of the revised statutes are hereby amended to read as follows:

'Sec. 14. Cinematograph and moving-picture machine to be licensed; apparatus to be enclosed; provisions not to apply in certain cases. No cinematograph or similar apparatus, involving the use of a combustible

film more than 10 inches in length, shall be kept, used or exhibited in any building, place of public assemblage or place or building used for entertainment, whether such place or building has been licensed for public entertainment or not, unless a license or permit shall have been first obtained from the ~~municipal officers of the city or town in which said cinematograph or similar apparatus is kept or exhibited~~ insurance commissioner; said cinematograph or similar apparatus shall be placed in an enclosure or booth consisting of a steel frame covered with asbestos-wood or other fire resisting material approved by the insurance commissioner and constructed and located in accordance with the specifications hereinafter provided, and the entrances, exits and fire escapes connected with such public building, place of public assemblage or place or building shall be erected in accordance with law; provided, that this section and the 4 following sections shall not apply to any cinematograph or similar apparatus operated with only cellulose acetate films not more than 1¼ inches in width and using only an enclosed incandescent lamp; provided also, that the manufacturer of such cinematograph or similar apparatus shall apply for and receive the approval of the insurance commissioner; and provided also, that no such cinematograph or similar apparatus shall be used where an admission fee is charged, except in social, fraternal, charitable, religious and educational organizations, where the machine so used is owned by said organization and used in the city or town where said organization is located, and the proceeds of such admission fees are to be devoted to the uses of said organization.'

'Sec. 15. Application for license; enclosure and machine to be inspected; license fee; appeal. Whoever desires to keep, exhibit or use any cinematograph or similar apparatus in any place or building described in section 14 shall make application to the ~~municipal officers of the city or town in which such place or building is located~~ insurance commissioner for a license to keep, exhibit or use such cinematograph or similar apparatus therein, and upon receipt of said application the ~~municipal officers of said city or town~~ insurance commissioner shall inspect or cause to be inspected the enclosure or housing provided for such cinematograph or similar apparatus and shall also inspect or cause to be inspected any such cinematograph or similar apparatus, and shall also inspect the entrances, exits and fire escapes. If, as a result of such inspection ~~they are~~ he is convinced that the specifications hereinafter provided are fully complied with, and such cinematograph or similar apparatus is found to be in a safe and suitable condition to be stored, exhibited or used, and that the entrances, exits and fire escapes of such public buildings, place of public assemblage, or place or building, are in accordance with law, ~~they~~ he may issue a license to the person desiring to keep, use or exhibit such cinematograph or similar apparatus, which license shall state the name of the makers,

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trade name and number and the serial number of such cinematograph and the place in which it is to be kept, used or exhibited. If such officers, after written application to them for a license, unreasonably refuse or neglect to grant it, the applicant by giving them ten days' notice and a bond to pay all cost arising thereafter may appeal to the county commissioners who after a hearing of the parties, may grant the license or not as they judge reasonable. A fee for such license not exceeding \$10 shall be fixed by the municipal officers insurance commissioner. No license shall be granted under this section for any cinematograph or similar apparatus operated by oxyhydrogen gas, so-called, or by lime light.'

'Sec. 16. No person to operate without a license; operator to be 18 years of age, and thoroughly skilled. No person shall operate any cinematograph or similar apparatus in any city or town until he has received a license or permit so to do from the municipal officers thereof insurance commissioner; no such license to operate a cinematograph or similar apparatus shall be granted to any person under 18 years of age, nor until the applicant shall have satisfied the municipal officers insurance commissioner that he is thoroughly skilled in the mechanical and electrical apparatus or devices used in the operation of a cinematograph or similar apparatus. An applicant for such license shall have the same right of appeal as is provided in the preceding section. Such license to operate shall continue for one year and the. A fee therefor of not more than \$5 shall be fixed by the municipal officers insurance commissioner.

'Sec. 17. Specifications of booth or enclosure; exits. The construction of the booth or enclosure for any such cinematograph or similar instrument must conform substantially to the following specifications: all booths, or enclosures, must be at least 7 feet high and the floor space to vary according to the number of machines used in said booth or enclosure. At least 48 square feet of floor space shall be provided for 1 machine and 24 square feet for each additional machine. The material used in the construction of such booths or enclosures shall be steel or asbestos-wood sheets supported by a skeleton frame of structural steel; the asbestos-wood sides and tops shall not be less than $\frac{1}{4}$ inch thick, and the floor space not less than $\frac{3}{8}$ of an inch thick. Said structural steel frame shall be made of angles of tee shape not less than $1\frac{1}{2}$ inches by $1\frac{1}{2}$ inches by $\frac{3}{16}$ ths of an inch. The door of said booth or enclosure shall be made of asbestos-wood and iron and shall be so contrived that it shall be kept closed at all times. The booth shall also be provided with a ventilator pipe not less than 12 inches in diameter leading to the outer air, or to a chimney, with an electric fan installed so as to create at all times when the machine or machines are in operation a forced draft through said ventilator for the purpose of carrying off all gases and smoke which may arise from accidental ignition

of the film. Shutters made of $\frac{1}{4}$ inch asbestos-wood shall be provided for closing the windows in the booth or enclosure which must be so contrived as to close automatically in case of accidental ignition of the film. The enclosure or housing provided for such cinematograph, moving-picture machine, or other similar apparatus, shall be located above the main floor of the hall, room, or building where such cinematograph, moving-picture machine, or similar apparatus is located. There shall be a sufficient number of exits and fire escapes leading into a street, lane, or passageway, with no obstruction to free exit. Nothing herein, however, shall preclude the use of any other fire resisting material approved by the fire insurance commissioner.'

Approved April 6, 1939.

Chapter 179

AN ACT Amending the Law Relating to Outdoor Advertising.

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

Sec. 1. P. L., 1935, c. 163, § 2, amended. Section 2 of chapter 163 of the public laws of 1935 as amended by section 2 of chapter 194 of the public laws of 1937 is hereby further amended to read as follows:

'Sec. 2. Permits. No person, firm, or corporation shall, after the 1st day of January next following the effective date of this act, erect or maintain upon real property any outdoor advertising structure, device or display, including those now or hereafter existing, until a permit for the erection or maintenance of such structure, device or display shall have been obtained from the commission. The provisions of this section shall not apply to outdoor advertising structures, devices or displays upon the property whereon the goods so advertised are manufactured or sold or the business or profession so advertised is carried on or practiced, or which advertise the real property upon which the same may be for sale or for rent, provided that such structures, devices or displays shall not exceed 10 in number or a total area of 250 square feet, and provided that such structures, devices or displays shall be within 300 feet of the building wherein the goods advertised are manufactured or sold or the business or profession advertised is carried on or practiced, except that if such building is not adjacent to a state, or state aid highway or public way designated by state or federal highway route numbers said structures, devices or displays shall be within 300 feet from the junction of the nearest such highway, and the travelled way, public or private, constituting the approach to said building, and such signs shall not exceed 2 in number or 200 square