

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
AS PASSED BY THE
Ninety-second and Ninety-third
Legislatures
OF THE
STATE OF MAINE

From April 22, 1945 to May 14, 1947
AND MISCELLANEOUS STATE PAPERS
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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Ninety-third Legislature

1947

PUBLIC, 1947

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an officer of the law; and unless there shall be in such pavilion, hall or other building, separate toilets for men and women.

Sec. 53-B. Offense punished. Whoever, being an owner, lessee, tenant or licensee of a pavilion, hall or other building in which a dance is held in violation of any restriction imposed by the previous section, shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not more than \$100, or by imprisonment for not more than 90 days, or by both such fine and imprisonment, and trial justices shall have concurrent jurisdiction with municipal courts of such offenses.'

Effective August 13, 1947

Chapter 273

AN ACT Relating to Local Option Provisions.

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

Sec. 1. R. S., c. 57, § 2, amended. Section 2 of chapter 57 of the revised statutes is hereby amended to read as follows:

'Sec. 2. Local option. The aldermen of cities, the selectmen of towns, and the assessors of plantations are empowered and directed to notify the inhabitants of their respective cities, towns, and plantations to meet, in the manner prescribed by law for the calling and holding of biennial meetings of said inhabitants for the election of senators and representatives, at the time of holding such biennial meeting to give in their votes upon the following questions:

I. Shall state stores for the sale of liquor be operated by permission of the state liquor commission in this city or town?

II. Shall licenses be granted in this city or town under regulation of the state liquor commission for the sale herein of wine and spirits to be consumed on the premises?

III. Shall licenses be granted in this city or town for the sale herein of malt liquor (beer, ale, and other malt liquors) to be consumed on the premises?

IV. Shall licenses be granted in this city or town for the sale herein of malt liquor (beer, ale, and other malt liquors) not to be consumed on the premises?

Upon receipt of a petition of electors resident in that city or town in writing addressed to the secretary of state and signed by at least 15% of

the number of voters voting for the gubernatorial candidates at the last state-wide election in that city or town, which petition shall be filed with the secretary of state on or before the 1st day of July preceding the day of the biennial election, the ballots for that city or town shall carry in accordance with the petition any or all of the following additional ~~question~~ questions:

V. Shall licenses be granted in this city or town for the sale therein under the regulation of the state liquor commission of wine and spirits to be consumed on the premises of a hotel or club that operates only during the months of June, July, August, and September?

VI. Shall licenses be granted in this city or town for the sale therein under the regulation of the state liquor commission of wine and spirits to be consumed on the premises of a club only?

VII. Shall licenses be granted in this city or town for the sale therein under the regulation of the state liquor commission of malt liquor (beer, ale, and other malt liquors) to be consumed on the premises of a club only?

The secretary of state shall prepare and furnish to the several cities, towns, and plantations ballots in manner and form as prescribed in section 5 of chapter 5 for constitutional amendment or other questions, together with all such other forms including those for instructions and returns as are prescribed in said chapter 5.

The inhabitants of the several cities, towns, and plantations shall vote by ballot on said questions, those in favor voting "Yes" on their ballots and those opposed "No", and the ballots shall be received, sorted, counted, and declared in open ward, town, and plantation meetings and return made to the office of the secretary of state in the same manner as votes for governor and members of the legislature, and the governor and council shall canvass the same and the results shall be determined as provided in section 52 of chapter 5.

If a majority of the votes cast in a city or town in answer to question I is in the affirmative, the commission may operate therein a state store or stores for the sale of liquor, subject to all provisions of law.

If a majority of such votes in answer to question II is in the affirmative, the commission may issue licenses for the sale therein of wine and spirits for consumption on the premises, subject to all provisions of law.

If a majority of such votes in answer to question III is in the affirmative, the commission may issue licenses for the sale therein of malt liquor to be consumed on the premises, subject to all provisions of law.

If a majority of such votes in answer to question IV is in the affirmative,

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the commission may issue licenses for the sale therein of malt liquor not to be consumed 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 V are in the affirmative, the commission may issue licenses for the sale of wines and spirits to be consumed on the premises of a hotel or club therein that operates only during the months of June, July, August, and September.

If a majority of the votes cast in a city or town in answer to question VI are in the affirmative, the commission may issue licenses for the sale of wines and spirits to be consumed on the premises of a club only therein.

If a majority of the votes cast in a city or town in answer to question VII are in the affirmative, the commission may issue licenses for the sale of malt liquor (beer, ale, and other malt liquors) to be consumed on the premises of a club only therein.

If a majority of such votes cast on question I is 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 such votes cast on question II is in the negative, licenses shall not be issued for the sale therein of wines and spirits for consumption on the premises, for the 2 calendar years next following.

If a majority of such votes cast on question III is in the negative, licenses for the sale therein of malt liquor to be consumed on the premises shall not be issued, for the 2 calendar years next following.

If a majority of such votes cast on question IV is in the negative, licenses for the sale therein of malt liquor not to be consumed on the premises shall not be issued for the 2 calendar years next following.

If a majority of the votes cast on question V are in the negative, licenses shall not be issued for the sale of wines and spirits to be consumed on the premises of a hotel or club that operates therein only during the months of June, July, August, and September for the 2 calendar years next following.

If a majority of the votes cast on question VI are in the negative, licenses shall not be issued for the sale of wines and spirits to be consumed on the premises of a club only therein.

If a majority of the votes cast on question VII are in the negative, licenses shall not be issued for the sale of malt liquor (beer, ale, and other malt liquors) to be consumed on the premises of a club only therein.

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

Upon this ballot no other referendum question shall be printed.'

Sec. 2. P. L., 1947, c. 138, repealed; limitation. Chapter 138 of the

public laws of 1947, heretofore passed by this legislature, amending section 2 of chapter 57 of the revised statutes, is hereby repealed and shall not be printed as part of the session laws of 1947.

Effective August 13, 1947

Chapter 274

AN ACT Relating to Casualty and Surety Insurance Rate Regulation.

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

R. S., c. 56, §§ 291-309, additional. Chapter 56 of the revised statutes is hereby amended by adding thereto 19 new sections to be numbered 291 to 309, inclusive, to read as follows:

‘Sec. 291. Purpose of §§ 291-309. The purpose of sections 291 to 309, inclusive, is to promote the public welfare by regulating insurance rates to the end that they shall not be excessive, inadequate or unfairly discriminatory, and to authorize and regulate cooperative action among insurers in rate making and in other matters within the scope of said sections. Nothing in sections 291 to 309, inclusive, is intended (1) to prohibit or discourage reasonable competition, or (2) to prohibit, or encourage except to the extent necessary to accomplish the aforementioned purpose, uniformity in insurance rates, rating systems, rating plans or practices. Said sections shall be liberally interpreted to carry into effect the provisions of this section.

Sec. 292. Scope of §§ 291-309. The provisions of sections 291 to 309, inclusive, apply to casualty insurance, including fidelity, surety and guaranty bonds, and to all other forms of motor vehicle insurance, on risks or operations in this state, except:

- I. Reinsurance, other than joint reinsurance to the extent stated in section 301;
- II. Accident and health insurance;
- III. Insurance against loss of or damage to aircraft or against liability, other than workmen’s compensation and employers’ liability, arising out of the ownership, maintenance or use of aircraft;
- IV. Workmen’s compensation shall first be subject to the provisions of chapter 26 but any parts of sections 291 to 309, inclusive, not inconsistent with such chapter shall also apply. The filings required by subsection II of section 6 of chapter 26 may be made on behalf of any workmen’s compensation insurer by a rating organization licensed in accordance with the provisions of section 296.