

MAINE STATE LEGISLATURE

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

From April 10, 1943 to April 21, 1945
AND MISCELLANEOUS STATE PAPERS
From April 10, 1943 to May 24, 1945

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EXECUTIVE ORDERS

of

Governor Sumner Sewall

From April 3, 1943 to January 1, 1945

(as reported to the Revisor of Statutes)

who may be in need as a result of enemy action or the threat thereof, and for the orderly evacuation of civilians in the event of emergency.

4. The Director of Civilian Defense is directed to establish through the Authority a comprehensive plan for the State of Maine in conformity with the national evacuation plan, and is further directed to make such rules and regulations as may be necessary to give effect to the intent of this order.

5. The Treasurer of the State shall be the approved fiscal officer of the State to receive such funds as may be forthcoming from any agencies of the Federal Government for the purpose of carrying out the intent of the Authority as set forth in this order, and the State Controller shall authorize expenditures therefrom as approved by the Commissioner of Health and Welfare.

SUMNER SEWALL,
Governor of Maine

June 2, 1943

STATE OF MAINE
EXECUTIVE DEPARTMENT
Augusta

Executive Order—No. 26

Whereas, under authority of Presidential Executive Order No. 9066, the Commanding General, Eastern Defense Command, United States Army, has declared Maine to be a part of a military area, and has issued regulations governing the control of seacoast lighting in Maine; and

Whereas, in compliance with the order of the Commanding General, Eastern Defense Command and First Army, dated May 22, 1943, the Commanding General, First Service Command, has issued revised regulations for the control of lighting within the dimout area under his command, effective May 31, 1943, from one-half hour after sunset each night until one-half hour before sunrise the following morning between October 1 and April 30, inclusive, and from one hour after sunset each night until one-half hour before sunrise the following morning between May 1 and September 30, inclusive, for the duration of the war or until such time as these regulations may be rescinded or amended; and

Whereas, under authority of Section 1, Chapter 305 of the Public Laws of 1941, approved January 21, 1942, and entitled "An Act to Create the Maine Civilian Defense Corps and Provide for the Safety of the State in Time of War," the Governor is empowered and directed to cooperate

with the Federal Government and to provide for the security, health, and welfare of the people of the State of Maine;

Now, therefore, I, Sumner Sewall, Governor of the State of Maine, do hereby rescind Executive Orders No. 19 and 22, and all regulations issued under the authority of said Orders, and do hereby promulgate the following rules and regulations, conformable to the revised and amended regulations issued by the Commanding General of the First Service Command for the New England area, the same to have the force and effect of law, forthwith:

I. Definitions

- a. **Source of Light.** The "source of light" as used in these regulations is defined as the filament in an incandescent bulb; the tube of a fluorescent lamp; the luminous arc in a gaseous or vapor lamp, or arc lamp; the mantle or flame in a gas lamp, the flame in an oil lamp or candle.
- b. **Direct Light.** Direct light is the light which reaches the area to be illuminated without redirection or reflection except by enclosing glass globes or translucent plastic globes.

II. The Dimout Area

For the purpose of these regulations the coastal and metropolitan dimout areas in Maine shall be defined as follows:

1. The City of Eastport.
2. All the territory, including islands, lying south and east of the following highways, inclusive:
 - a. Me. Route 189 from Lubec to Whiting.
 - b. U. S. Route 1 from Whiting to Harrington.
 - c. U. S. Route 1A from Harrington to Milbridge.
 - d. U. S. Route 1 from Milbridge to Sullivan.
3. All the territory, including islands, lying south and east of an imaginary line extending from Sullivan to the town of Blue Hill, and from the town of Blue Hill to the town of Northport.
4. All the territory, including islands, lying south and east of the following highways, inclusive:
 - a. U. S. Route 1 from Northport to Camden.
 - b. Me. Route 137 from Camden to its junction with U. S. Route 1 west of Warren.

- c. U. S. Route 1 from its junction with Me. Route 137 to Yarmouth.
- d. Me. Route 115 from Yarmouth to Gray.
- e. U. S. Route 202 from Gray to Sanford.
- f. Me. Route 4 from Sanford to North Berwick.
- g. Me. Route 9 from North Berwick to the Maine-New Hampshire Border.
- 5. The Town of Topsham.
- 6. The entire area of all cities, towns and plantations through which the line of demarcation of the dimout area passes shall be included within the dimout area.

III. Requirements Within the Dimout Area

- I. **Lights Visible from the Sea.** All lights of every nature and from whatever source, except as provided in paragraphs 11 and 13 below, and such other lights as are exempted by paragraph 15 below, shall be permanently shielded, obscured or reduced in intensity so that no light or reflection therefrom shall be visible from any point on the waters of the Atlantic Ocean to the seaward side of the line described below. If lights thus visible cannot be so shielded or controlled, they shall be extinguished. The line is defined as follows:

Beginning in Canadian waters at Liberty Point Ledge, Campobello Island, and running thence, in a series of straight lines to West Quoddy Head Lighthouse; to the tip of Boot Head, Lubec, to the tips of Long Point, Western Head, and Cape Wash, Cutler, to the tip of Howard Point, Machiasport, to the southmost point of The Brothers Island, to Mistake Island Lighthouse, to the tip of Pond Point on Great Wass Island, to Nash Island Lighthouse, to the tip of Petit Manan Point, Steuben, to the tip of Schoodic Point, Winter Harbor, to Egg Rock Lighthouse in Frenchman Bay, to the tip of Otter Point on Mt. Desert Island, to the eastern end of Sutton Island, to Bass Harbor Head Lighthouse, to the tip of North Point on Swans Island, to the eastern tip of Stinson Neck, Deer Isle, to Deer Isle Thoroughfare Light on Mark Island, to the southmost tip of Stimpson's Island, to Brown's Head Light on Vinal Haven Island, to Owl's Head Lighthouse, to Whitehead Lighthouse, to the tip of Mosquito Head, St. George, to Marshall Point Lighthouse, to Franklin Island Lighthouse, to Pemaquid Point Lighthouse, to Ram Island Lighthouse, to the Cuckolds Lighthouse, to Pond Island Lighthouse, to Fuller Rock

Lighthouse, to Little Mark Monument Light, to Portland Head Light, to Cape Elizabeth Lighthouse, to Wood Island Lighthouse, to Goat Island Lighthouse, to Cape Neddick Lighthouse.

2. **Display Lighting.** Exterior illumination and interior illumination visible from outdoors for the purpose of display lighting, and for ornamental or decorative lighting of every description and for stationary or mobile signs, except as otherwise permitted in these regulations is prohibited. Transparent signs in the windows of doctors' offices or homes are not prohibited under this paragraph provided they are lighted by incidental illumination within the building.
3. **Street and Highway Lighting.** All exterior lights which are used for illumination of streets and highways, except automotive driving lights, shall be permanently shielded or controlled by a method approved by the proper state authorities, in such a manner that the bottom of the shielding device shall not be above a horizontal plane through the bottom of the source of light. The maximum horizontal illumination at the street surface shall not exceed 1 foot candle at any point. Lights which cannot be so shielded or controlled shall be extinguished.
4. **Outdoor Industrial Lights.** All lights used for out-of-door manufacturing, repair work, shipbuilding, necessary handling or storage of raw or finished materials, for any type of construction work, in railroad yards or for raising of crops and poultry shall be permanently shielded so that all light is projected at least 30° below the horizontal. Lights which cannot be so controlled shall be extinguished.
5. **Protective Lighting.** All exterior lights used for protective purposes shall be shielded so as to throw light only where it is necessary to insure protection and all light shall be projected below the horizontal. Lights for protective purposes are hereby defined and are limited to the following types:
 - a. Outside lights used for protection against sabotage or unauthorized entry at the following types of facilities:
 - (1) Military or naval installations.
 - (2) Establishments handling, processing, storing, or manufacturing materials of any kind, directly or indirectly, for the prosecution of the war effort, by the United States or its allies.

- (3) Electric, gas, water, or communication facilities.
 - b. Outside lights at penal or correctional institutions and mental hospitals used for the purpose of assisting in the prevention of escape by the inmates thereof.
6. **Parking Areas, Etc.** The illumination of any area such as a parking lot, gasoline filling station, roadside stand, open booth or stall, public playground, or outdoor place of amusement or entertainment shall be limited by the following provisions:
- a. No single light shall be used which exceeds the intensity of a 40-watt incandescent lamp.
 - b. No such light shall be located nearer than twenty (20) feet to any other light in the area.
 - c. Every such light shall be permanently shielded so that all light is projected at least 45° below the horizontal.
7. **Stores, Restaurants, Commercial Buildings.** Windows, doors, and similar openings in stores, restaurants, bars, and other commercial establishments through which any light is visible, shall be governed by the following provisions:
- a. Windows and similar openings in which merchandise is displayed for sale or through which merchandise or services offered to the public are visible shall be completely screened from light within the main part of the establishment by an opaque curtain, backdrop, or partition. Venetian blinds may be used for this purpose only if properly installed and closed. Transoms must be screened in like manner. Such windows and similar openings, and transoms may be used for ventilation, in which case that portion which is open for the passage of air may be unshielded provided interior lighting is so controlled that no direct light from any source within may be projected through said open portion.
 - b. Where space in such windows or similar openings allows, one shaded 15-watt incandescent lamp may be used for each eight horizontal linear feet of window or fraction thereof, provided further that such lights shall be separated from each other by a distance of at least eight feet. An illuminated sign may be used in lieu of any permitted lamp, provided the source of illumination of such sign does not exceed the intensity of a 15-watt incandescent lamp.

- c. In those places which are required by state law to have the main part of the establishment visible from the street, a horizontal opening not in excess of one (1) foot in height and at a height above the sidewalk between four and six feet may be left open for the entire width, but in no such case shall any direct light from within the establishment or window be allowed to fall on the ground area in front of such window.
 - d. All doors shall be screened by curtains, shades, blinds or paint for not less than three-quarters of their total glass area, except as provided below. Door areas may remain unshielded to allow openings for ventilation provided interior lighting is so controlled that no direct light from any source within may be projected through such opening.
 - e. The provisions of this paragraph shall not prohibit the use of night-lights visible through such windows, doors or other openings for protection against burglary, provided that such lights comply with the specifications for unattended interior lighting allowed to remain visible from outside during a blackout, as prescribed in General Order No. 9, dated February 23, 1943.
 - f. Skylights shall conform to paragraph gb below.
 - g. In no case shall any light permitted by this paragraph be visible out-of-doors above a horizontal plane through the source of that light.
8. **Semi-Open Buildings.** Lights within structures or portions of structures which are not complete enclosures such as loading or waiting platforms, and within structures which are commonly used with large open wall areas such as barns, poultry houses and lubritoriums, shall be shielded so that all light is projected at least 45° below the horizontal. Skylight shall conform to paragraph gb below. Lights which cannot be so controlled shall be extinguished.
9. **All Other Buildings.** All buildings not specifically covered by the provisions above, shall conform to the following provisions:
- a. All windows, doors, or other apertures which have areas through which light may be transmitted shall be screened by the use of curtains, shades, blinds, paint, or other opaque material for not less than three-quarters of such area to reduce the outward projection of light from any source within, and

in no such case shall a source of light be visible out-of-doors above a horizontal plane through that source. However, the screened area may be reduced when used for ventilation provided interior lighting is so controlled that no direct light from any lighting fixture or portable lamp within may be projected through such openings.

- b. Skylights through which light may be transmitted upward shall be shielded, or otherwise covered so as to be completely opaque, or in lieu of this provision, light sources shall be shielded so that all light is projected at least 45° below the horizontal, provided the resultant brightness shall not exceed one-half ($\frac{1}{2}$) of one footlambert.
10. **Special Provision for Manufacturing Plants.** Any military or naval installation, manufacturing plant, or other facility essential to the war effort may comply with the provisions of paragraph 9 above, or shield interior lights at the source or otherwise, so that in either case the resultant average brightness outside any group of windows, doors, or other openings, except skylights, whether opened or closed, shall not exceed one (1) footlambert, and provided further that the maximum brightness at any point outside such group of openings shall not exceed three (3) foot-lamberts.
11. **Automotive Lighting.** All automotive vehicles shall conform to the following:
- a. The upper half of the lens of each headlight or driving light in use shall be completely obscured by paint or other opaque material. No more than two such headlights or driving lights shall be used at the same time.
 - b. In dimout areas the depressed or passing beam of the headlight or driving light shall be used.
 - c. All parked automotive vehicles shall have driving lights and interior lights extinguished.
 - d. Vehicles will be permitted to operate with headlights and/or driving lights masked as provided above anywhere within the state.
12. **Bonfires, Etc.** Bonfires, brush fires, dump fires, burning fields, and outdoor fireplaces and incinerators shall be completely extinguished.
13. **Railroad Trains, Street Cars and Busses.**

- a. Except for headlights and necessary running lights, the provisions of paragraph 1 shall apply to railroad trains, elevated trains, street cars, trackless trolleys and busses where visible from the sea. Elsewhere in the dimout area such lights shall be so shielded that the source of these lights is not visible above a horizontal plane through that source.
- b. The headlights of road locomotives shall be dimmed. Headlights and driving lights of elevated trains, street cars, trackless trolleys and busses shall conform to paragraph 11 above.
14. **Miscellaneous Lights.** All other out-of-door lights of whatever nature and from whatever source, not specifically covered by any of the foregoing provisions, and not exempted by paragraph 15 below, shall not exceed the intensity of a 15-watt incandescent lamp, and shall be permanently shielded so that all light is projected at least 45° below the horizontal. No such light shall be located nearer than twenty (20) feet to any other such light.
15. **Exempted Lights.** These regulations do not apply to the following classes of lights in Maine.
 - a. Official maritime or aerial navigation and obstruction lights.
 - b. Railroad signal lights.
 - c. Dimensional marking lights on oversized automotive vehicles, as prescribed by state regulations or the Interstate Commerce Commission.
 - d. Emergency lighting used in the event of accident or other emergency to the extent necessary for the protection of life and property; obstruction lights used to mark stalled vehicles, obstructions, excavations, or other dangerous conditions on or near public highways. Such lights where visible from the sea shall conform as far as practicable to the provisions of paragraph 1 above.
 - e. Searchlights of the Armed Forces of the United States.
16. The Director of Civilian Defense shall make such additional rules and regulations for the control of seacoast lighting as may be necessary to effect the proper and immediate compliance with this order.

SUMNER SEWALL,
Governor of Maine.

June 4, 1943