

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

## Ninety-fifth Legislature

OF THE

# STATE OF MAINE

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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Ninety-fifth Legislature

1951

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the appropriations contemplated in section 27 and subject to the provisions of section 30 as to apportionment, appropriate a like increase of state aid, except that all state aid in excess of that required by the provisions of section 27 shall be used with the state aid appropriation of the town in excess of that required by the provisions of section 25, for the reconstruction of improved state aid highways; such appropriation shall not deprive the town of its right to the regular annual state aid in other years; the appropriations contemplated by this section shall be united with and become a part of the joint fund referred to in section 27.'

**Sec. 2. Limitation.** The provisions of the amendment in section 1 hereof shall not apply to towns which have already anticipated future state aid apportionments, until such towns shall have been reimbursed in accordance with the provisions of section 109 of chapter 20 of the revised statutes, as amended. This act shall become effective July 1, 1952.

Effective July 1, 1952

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## Chapter 361

### AN ACT Relating to Time Sales on Motor Vehicles.

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

**Sec. 1. R. S., c. 56, § 264, amended.** The 1st sentence of section 264 of chapter 56 of the revised statutes is hereby amended to read as follows:

'Any person, firm or corporation ~~not under the supervision of the bank commissioner, except a savings bank, trust company, national bank, or any other bank which is under the supervision of the bank commissioner, the principal place of business and home office of which is in this state except a national bank,~~ desiring to conduct the business of financing time sales on motor vehicles shall annually make application to the commissioner for a license to conduct said business and said application shall be made on forms prepared and furnished by the commissioner and shall state such information as may be asked for thereon.'

**Sec. 2. R. S., c. 56, § 264-A, additional.** Chapter 56 of the revised statutes is hereby amended by adding thereto a new section to be numbered 264-A, to read as follows:

'Sec. 264-A. Seller to itemize charges; penalty. It shall be unlawful for any person, firm or corporation to sell a motor vehicle as defined by section 1 of chapter 19 by an installment sale contract without having before the consummation of the sale furnished the buyer an itemization in

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writing signed by the seller separately disclosing to the purchaser the finance charge, insurance costs and other charges which are paid or to be paid by the purchaser.

The seller shall be deemed to have fully complied with the requirement of this section when he has furnished the purchaser, before consummation of the sale, an itemization in writing which clearly discloses:

- I. The delivered price of the motor vehicle, including accessories or extras, if any; and
- II. The amounts to be credited as down payment and trade-in, if any; and
- III. The time balance owed by the buyer to seller, the amount of each installment payment to be made by the buyer, and the number of such installment payments, and the due dates thereof; and
- IV. The cost of insurance and emergency benefits included in the transaction, the coverage and benefits provided, and the party or parties to whom the insurance is payable; and
- V. The finance charge; and
- VI. Other charges making up the total consideration paid or to be paid by the purchaser, included in the time balance, the amounts and nature of each to be separately stated; or when all said required information is clearly set forth in the installment sales contract, chattel mortgage, or other instrument evidencing the purchase transaction, and a true copy of such instrument is furnished to the purchaser before or at the time of the execution thereof.

Provided, however, that subsections I, II, III, IV and V of this section need not be stated in the sequence or order above set forth and that additional items may be included which serve to explain the calculations involved in determining the stated time balance to be paid by the purchaser; and provided further, that when all the said required information is clearly set forth in an installment sales contract, chattel mortgage, or other instrument evidencing the purchase transaction, and a true copy of such instrument is furnished to the purchaser before or at the time of his execution thereof, no additional itemization need be furnished to the purchaser.

In the execution of an installment sale contract it shall be unlawful for the seller to procure the purchaser to sign a contract or receipt in blank to be filled in subsequently by the seller or financing institution; provided, however, that where such a contract or receipt contains a clear and sufficient description of the motor vehicle fully adequate to identify it readily, then blanks for insertion of identifying serial numbers and marks when

knowledge of such numbers or marks are not available to the seller at the time of execution of the contract need not be filled at the time of execution, provided that such identifying numbers and marks are subsequently inserted in the contract upon delivery of the motor vehicle.

Violation of this section shall be punished by a fine of not more than \$1,000, or by imprisonment for not more than 6 months, or by both such fine and imprisonment. Any person, firm or corporation knowingly financing installment sales contracts made in violation of this section shall be subject to the same penalties; and any license or licenses issued to such person, firm or corporation to conduct the business of financing time sales on motor vehicles may be revoked.'

Effective August 20, 1951

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## Chapter 362

### AN ACT Relating to Non-Resident Commercial Fishing Licenses.

**Emergency preamble.** Whereas, the commercial fishing season is at its height during the summer months; and

Whereas, the state is without a law covering non-resident commercial fishing licenses due to a federal court ruling; and

Whereas, a great deal of confusion, controversy, loss of revenue and lack of conservation control will result; 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., c. 34, § 51, repealed and replaced. Section 51 of chapter 34 of the revised statutes, as revised, is hereby repealed and the following enacted in place thereof:

'Sec. 51. Non-resident commercial fishing license. No non-resident of the state shall take, catch or kill for commercial purposes any species of fish in Maine coastal waters until he has first procured from the commissioner a non-resident commercial fishing license. The fee for said license shall be \$50 and shall entitle the holder to take all species of fish except shellfish, lobsters and scallops.'