

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-seventh Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with subsection VI of section 27 of chapter 10 of the Revised Statutes of 1954.

KENNEBEC JOURNAL
AUGUSTA, MAINE
1955

PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Ninety-seventh Legislature

1955

Sec. 2. R. S., c. 22, § 27, amended. Section 27 of chapter 22 of the revised statutes is hereby amended by adding at the end thereof a new paragraph, to read as follows:

'The State Police are authorized to investigate the use of dealer or transit registration plates and shall report their findings from time to time to the dealer registration board.'

Effective August 20, 1955

Chapter 206

AN ACT Relating to Dumping Rubbish and Bottles on Highways from Motor Vehicles.

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

Sec. 1. R. S., c. 137, § 30, amended. The 1st paragraph of section 30 of chapter 137 of the revised statutes is hereby amended to read as follows:

'No person, firm or corporation shall throw, place or cause to be placed any waste material, bottles, rubbish or garbage of any nature within the limits of the right-of-way of any public highway; provided, however, that this section shall not apply to the proper use of the right-of-way for highway purposes. If such throwing or placing was done from a motor vehicle, it shall be prima facie evidence that the throwing or placing was by the driver of such motor vehicle.'

Sec. 2. R. S., c. 137, § 31, amended. Section 31 of chapter 137 of the revised statutes is hereby amended to read as follows:

'Sec. 31. Throwing of bottles, etc., on highways. Whoever throws or deposits on any public way or on land within the bounds of such way any bottles or metal cans, except in proper containers placed for rubbish collection and removal, shall be punished by a fine of not more than \$100 \$50. If such throwing or depositing was done from a motor vehicle, it shall be prima facie evidence that the throwing or depositing was by the driver of the motor vehicle.'

Effective August 20, 1955

Chapter 207

AN ACT Regulating Closing-Out Sales and Similar Types of Sales.

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

Sec. 1. R. S., c. 100, §§ 79-A - 79-D, additional. Chapter 100 of the revised statutes is hereby amended by adding thereto 4 new sections to be numbered 79-A to 79-D, inclusive, to read as follows:

'Closing-out Sales.

Sec. 79-A. License required to conduct closing-out sales, and requirements for obtaining. No person or persons shall offer for sale a stock of goods, wares

or merchandise under the designation of "Closing-Out Sale," "Going Out of Business Sale," "Discontinuance of Business Sale," "Entire Stock Must Go," "Must Sell to the Bare Walls," or other designation which states, directly or by implication, an intent by such person or persons to dispose of the entire stock of goods with a view to permanently terminating further business after such disposal is complete, unless such person or persons shall have first complied with the following requirements:

I. That such person or persons shall, before the beginning of such disposal sale, obtain, from the municipal officers of the city or town in which such sale shall be conducted, a license to conduct such sale. To obtain such license the applicant shall pay to the said municipal officers a fee of \$25 and shall file with said municipal officers, in writing and under oath, a complete inventory of all items to be included in such sale. Such license shall be valid and effective for a period of 60 days from date of issuance, unless revoked as hereinafter provided, and the validity of such license may be extended for a period of 60 additional days if the licensee shall furnish to the said municipal officers an affidavit to the effect that all goods, wares or merchandise listed in the above-mentioned inventory have not been disposed of within the original 60-day period.

II. That such person or persons shall affirm, in writing and under oath, to the said municipal officers that no merchandise shall be included in the stock offered for sale unless said merchandise shall have been in or at the place of business wherein or whereat such sale is to be conducted at the time of the opening of the sale.

III. Upon compliance with the requirements of this section, the municipal officers shall issue the license forthwith.

Sec. 79-B. Violations and penalties therefore. Any licensee under the foregoing conditions, who shall in any way fail to comply with those conditions, or any person or persons who shall conduct such a disposal sale without first having obtained such license, shall be punished by a fine of not more than \$100 or by imprisonment for not more than 30 days, or by both such fine and imprisonment, and each day on which a sale is conducted in violation of any of these provisions shall constitute a separate offense.

Sec. 79-C. Powers of municipal officers to revoke license. The aforesaid municipal officers shall revoke any license issued in accordance with these regulations if the licensee shall be convicted of violating any of the foregoing provisions, and the municipal officers shall have the right to refuse to issue another license to any applicant who has, prior to application therefore, been convicted of violating any of the foregoing provisions. If any person convicted of any violation of the provisions of section 79-A shall appeal from the decision or sentence of the trial court, his license issued in accordance with these regulations shall be suspended during the time his appeal is pending in the appellate court.

Sec. 79-D. Limitations. The foregoing provisions shall not apply to liquidation sales by public auction of not more than 3 days duration conducted by a licensed auctioneer, or sales conducted or made by sheriffs, deputy sheriffs, constables, collectors of taxes, executors, administrators, guardians, conservators, receivers, assignees under voluntary assignments for the benefit of creditors or insurers, or by any other person required by law to sell personal property.'

Sec. 2. R. S., c. 100, §§ 80-83, repealed. Sections 80 to 83, inclusive, of chapter 100 of the revised statutes are hereby repealed.