

MAINE STATE LEGISLATURE

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#79-30

February 26, 1979

Senator Howard M. Trotzky
State House
Augusta, Maine 04333

Dear Senator Trotzky:

In response to your letter of February 12 in which you ask whether vendors who sell at the annual antique show sponsored by the Junior League of Bangor, a charitable organization, are exempt from registration under Section 32 M.R.S.A. § 4681(7) of the Transient Seller of Consumer Merchandise Act (32 M.R.S.A. § 4681 et seq.):

The word "bazaar" which appears in Section 4681(7) is defined in Webster's Third New International Dictionary (1961) to mean "a fair for the sale of useful and ornamental articles, especially for charitable or religious ends". From the facts you have set out in your letter, it appears that the Junior League's antique show falls within this meaning of the word "bazaar". Therefore, vendors at that show are exempt from registration.

As the drafter and as a participant in the legislative hearing process which created this law, I believe the above construction to be consistent with the intent of the Legislature to not permit this law to encumber fund-raising sales conducted by local charitable organizations.

Yours truly,

CHERYL HARRINGTON
Assistant Attorney General
Consumer and Antitrust Division

CH/sn