

MAINE STATE LEGISLATURE

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N I N E T Y - F O U R T H L E G I S L A T U R E

Legislative Document

No. 812

H. P. 1505

House of Representatives, February 17, 1949

Referred to the Committee on Legal Affairs, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Chapman of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-NINE

AN ACT Relating to the Bulk Sales Act.

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

Sec. 1. R. S., c. 106, § 6-A, additional. Chapter 106 of the revised statutes is hereby amended by adding thereto a new section to be numbered 6-A, to read as follows:

‘Sec. 6-A. Sales in bulk of stocks of merchandise, payment of taxes. Prior to the sale in bulk of any part or the whole of a stock of merchandise, otherwise than in the ordinary course of trade and in the regular and usual prosecution of his business, the seller shall pay to the city or town in which such personal property is assessed the full amount of all unpaid tax due thereon. If the sale is made after the assessment date but prior to the date of the commitment of the tax by the assessors to the collector, the seller shall pay an amount based upon the valuation established by the assessors for the current year and computed on the tax rate of the previous year. If the seller does not pay the amount of the tax due under the provisions hereof, the sale shall be void as against the city or town and the purchaser shall be liable for the payment of the amount of the tax as established herein.’

Sec. 2. R. S., c. 106, § 7, amended. Section 7 of chapter 106 of the revised statutes is hereby amended to read as follows:

'Sec. 7. Corporations, associations, copartnerships and individuals included; exceptions. Sellers and purchasers under the preceding ~~section~~ **sections** shall include corporations, associations, copartnerships and individuals, but the provisions of ~~said~~ section 6 shall not apply to sales by executors, administrators, receivers, assignees under voluntary assignments for the benefit of creditors, trustees in bankruptcy, or by any public officer under judicial process, or to mortgages made in good faith for the purpose of security only, **but nothing contained herein shall in any way relieve any of the aforementioned from payment of the tax as set forth in section 6-A.'**