

# MAINE STATE LEGISLATURE

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**Legislative Document**

**No. 1278**

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H. P. 1698

House of Representatives, April 12, 1951.

Reported by Mr. Hand from Committee on Legal Affairs and printed under Joint Rules No. 10.

HARVEY R. PEASE, Clerk.

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**STATE OF MAINE**

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-ONE

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**AN ACT Regulating Closing-Out Sales, So Called, and Similar Types of Sales.**

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

R. S., c. 88, §§ 72-A - 72-D, additional. Chapter 88 of the revised statutes is hereby amended by adding thereto 4 new sections to be numbered 72-A to 72-D, inclusive, to read as follows:

**‘Closing-Out Sales**

**Sec. 72-A.** License required to conduct closing-out sales. No person 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” or other designation of like meaning unless he shall have obtained a license to conduct such a sale from the municipal officers of the city or town in which he proposes to conduct such sale.

**Sec. 72-B.** Application for license; fee; extension. A person desiring such license shall make application therefor to such municipal officers, in writing and under oath, setting forth a complete inventory of all items to be included in such sale, which inventory shall include only goods, wares or merchandise actually in the place of business, wherein or whereat such sale is to be conducted, at the opening of the sale; thereupon such municipal

officers shall issue a license to the applicant, upon his paying a license fee of \$25, authorizing such applicant to sell such goods, wares or merchandise during a period of 60 days; provided, however, if the licensee shall furnish an affidavit to the effect that all goods, wares or merchandise listed in said inventory have not been disposed of and that no stock has been added, an extension of 60 days may be granted upon the payment of an additional license fee of \$25.

Sec. 72-C. Limitation. Sections 72-A to 72-D, inclusive, shall not apply to 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. 72-D. Penalty. Whoever violates any provision of sections 72-A to 72-C, inclusive, 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 said provisions shall constitute a separate offense.'