

MAINE STATE LEGISLATURE

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ONE - HUNDREDTH LEGISLATURE

Legislative Document

No. 661

H. P. 461

House of Representatives, January 24, 1961

Referred to the Committee on Business Legislation, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Morrill of Harrison.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-ONE

AN ACT to Regulate Issuance of Trading Stamps.

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

Sec. 1. R. S., c. 100, §§ 136-A - 136-C, repealed and replaced. Sections 136-A to 136-C of chapter 100 of the Revised Statutes, as enacted by chapter 367 of the public laws of 1959, are repealed and the following enacted in place thereof:

'Sec. 136-A. Issuance of trading stamps unlawful. It shall be unlawful for any person, firm, association or corporation to use, issue or distribute, or for any person, firm, association or corporation to furnish to any other person, firm, association or corporation to use, issue or distribute in, with or for the sale of goods, wares, merchandise or service, any stamps, coupons, tickets, certificates, cards, cash register tapes or other similar devices, which shall entitle the purchaser receiving the same with the sale of goods, wares, merchandise or service to procure from any person, firm, association or corporation, any goods, wares, merchandise or service upon the production of any number of such stamps, coupons, tickets, certificates, cards, cash register tapes or other similar devices.

Sec. 136-B. Exceptions. Sections 136-A to 136-C shall not apply to the use, issuance, distribution, furnishing or redemption of any coupon, ticket, certificate, card, cash register tapes or other similar device issued, distributed, furnished or redeemed by a manufacturer or packer in connection with the sale of its manufactured or packed products, when such coupon, ticket, certificate, card, cash register tapes or other similar device is redeemable, without or accompanying cash not exceeding \$5 for any product of said manufacturer or packer or for one specified and particular product not manufactured or packed by said manufacturer or packer; or issued, distributed, furnished or redeemed by a merchant when such coupon, ticket, certificate, card, cash register tapes or similar

device is redeemable at face value, in cash or merchandise from the general stock of said merchant at regular retail prices at the option of the holder thereof.

Sec. 136-C. Penalty. Any person, firm, association or corporation violating any provision of sections 136-A to 136-C shall be punished by a fine of not more than \$100 or by imprisonment for not more than 60 days, or by both. Each day said person, firm, association or corporation is in violation of sections 136-A to 136-C shall constitute a separate and distinct offense. Each violation shall be deemed to be also that of the individual directors, officers or agents of such firm, association or corporation who shall have authorized, ordered, or done any of the acts constituting in whole or in part such violation. The firm, association or corporation and its different officers, agents and servants may each be prosecuted separately for such violation. The acquittal or conviction of one such officer, agent or servant shall not abate the prosecution of the others. Violators of sections 136-A to 136-C may also be enjoined or ousted from the continuing of such violation by proceedings brought by the county attorney of the proper county, or by the Attorney General, regardless of whether criminal proceedings have been instituted.'

Sec. 2. R. S., c. 100, §§ 136-D - 136-F, repealed. Sections 136-D to 136-F of chapter 100 of the Revised Statutes, as enacted by chapter 367 of the public laws of 1959, are repealed.