

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

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Legislative Document

No. 1616

H. P. 1245

House of Representatives, March 26, 1973

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

E. LOUISE LINCOLN, Clerk

Presented by Mrs. Clark of Freeport.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-THREE

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**AN ACT Providing for the Hobby Protection Act.**

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

R. S., T. 5, c. 10-A, additional. Title 5 of the Revised Statutes is amended by adding a new chapter 10-A, to read as follows:

**CHAPTER 10-A**

**HOBBY PROTECTION ACT**

§ 221. Title

This chapter may be cited as the "Hobby Protection Act."

§ 222. Unfair practice

The manufacture in the State of Maine for introduction into commerce or the importation into the State of Maine of any hobby item which is a reproduction of any political button, poster, literature or sticker, or of any advertisement used in any political cause, and which is not plainly marked with the calendar year in which such reproduction was manufactured, is unlawful and shall be an unfair or deceptive act or practice in commerce under chapter 10.

§ 223. —additional

1. Copy. The manufacture or offering for sale or trade in the State of Maine for introduction into commerce of any hobby item described in section 225, subsection 1, paragraph A or D which is a reproduction of such an item, and which is not plainly marked "reproduction" or "COPY" with the

date of manufacture, is unlawful and shall be an unfair or deceptive act or practice in commerce under chapter 10.

2. **Coins.** Into one surface of any reproduction of a coin or related item the word "COPY" shall be incused to a minimum depth of 50% of the thickness of the imitation coin or related item and incused in sans-serif capital letters of a vertical measurement not less than 2.75 millimeters.

3. —application. Nothing in this chapter shall apply to any coins re-struck at whatever date in any government mint or government authorized mint, nor to any replicas or reproductions provably manufactured prior to the year 1850.

4. **Furniture.** Into any reproduction of antique furniture, the collection of which constitutes a recognized hobby, the word "REPRODUCTION" and the calendar year of its manufacture shall be incused to a minimum depth of  $\frac{3}{16}$  inch and incused in sans-serif capital letters of a vertical measurement of not less than  $\frac{1}{2}$  inch.

#### § 224. Received for approval

1. **Nondelivery.** On request of any citizen of the United States who receives through the mails, for approval, unsolicited hobby items from any person, the United States Postal Service shall not deliver any mail from such person to the citizen making such request.

2. **Definition.** For purposes of this section, an item is received for approval if any material accompanying such item directs the recipient to pay for the item, or, if he does not wish to keep it, to return it to the sender.

3. **Regulations.** The United States Postal Service shall prescribe such regulations as may be necessary or appropriate to carry out this section.

#### § 225. Hobby item, defined

As used in this chapter, unless the context otherwise indicates, the following words shall have the following meanings:

1. **Commerce.** "Commerce" has the same meaning as it has under chapter 10;

2. **Hobby item.** "Hobby item" means:

A. Any political button, poster, literature or sticker, or any advertisement used in any political cause;

B. Any coin or related item;

C. Any stamp, first-day cover, block-of-four or other stamp-related item; and

D. Any other item of a type or class, the collection or arrangement of which, constitutes a recognized hobby.

3. **Reproduction.** "Reproduction" means a reproduction, imitation or copy.

**§ 226. Enforcement**

The Attorney General is authorized to prevent any person from violating section 222 or 223 in the same manner, by the same means, and with the same jurisdiction, powers and duties as though all applicable terms and provisions of chapter 10 were incorporated into and made a part of this chapter. The Attorney General shall prescribe such regulations as may be necessary or appropriate to carry out this chapter, other than section 224.

**STATEMENT OF FACT**

The purpose of this bill is to protect hobbyists against the reproduction, manufacture or importation into Maine hobby items.