

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 197

H.P. 156 House of Representatives, February 3, 1987  
Reference to the Committee on Business Legislation  
suggested and ordered printed.

EDWIN H. PERT, Clerk  
Presented by Representative ALIBERTI of Lewiston.

Cosponsored by Senator BERUBE of Androscoggin and  
Representative ALLEN of Washington.

STATE OF MAINE

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-SEVEN

AN ACT Relating to Redemption of  
Manufacturers' Rebates in the Sale of  
Consumer Goods.

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

10 MRSA c. 206-A is enacted to read:

CHAPTER 206-A

MANUFACTURERS' REBATES

§1231. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1           1. Consumer. "Consumer" means a natural person  
2 who purchases or contracts to purchase consumer  
3 goods.

4           2. Consumer goods. "Consumer goods" means any  
5 objects, wares, commodities or services offered for  
6 sale and intended to be used by consumers for person-  
7 al, family or household purposes.

8           3. Manufacturer rebate. "Manufacturer rebate"  
9 means any offer or promise to refund to a consumer a  
10 portion of the price paid for consumer goods by the  
11 manufacturer or distributor of those consumer goods.

12 §1232. Rebates by retailer

13           Any manufacturer or distributor offering consumer  
14 goods, for which a manufacturer's rebate is available  
15 through a retailer located in this State, shall per-  
16 mit the consumer purchasing the consumer goods to ob-  
17 tain that rebate directly from the retailer at the  
18 time of sale. The manufacturer or distributor may  
19 also provide for the consumer to obtain the manufac-  
20 turer's rebate by additional reasonable means.

21 §1233. Violations

22           1. Private remedy. If the court finds in any  
23 action commenced under this chapter that the manufac-  
24 turer or distributor or its agents violated section  
25 1232, it shall award to the petitioner an amount not  
26 less than \$100 and reasonable attorneys fees and  
27 costs incurred. No action may be brought under this  
28 section more than 2 years after the date of the oc-  
29 currence of the violation.

30           2. Unfair trade practice. A violation of this  
31 chapter constitutes a violation of Title 5, chapter  
32 10.

1

STATEMENT OF FACT

2           This bill requires manufacturers' rebates, which  
3 appear are being offered more and more as sales in-  
4 ducements, to be available to the consumer at the  
5 point of purchase, as are coupons. This bill allows  
6 consumers to enjoy the discount offered by the manu-  
7 facturer without the inconvenience of having to send  
8 away for a rebate and wait up to several months for  
9 it to be received.

10

0028012087