

MAINE STATE LEGISLATURE

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NINETY - EIGHTH LEGISLATURE

Legislative Document

No. 1187

H. P. 831

House of Representatives, March 7, 1957

Referred to the Committee on Business Legislation, sent up for concurrence and 1500 copies ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Morrill of Harrison.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-SEVEN

AN ACT Relating to the Licensing and Distribution of Trading Stamps.

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

R. S., c. 100, §§ 136-A - 136-J, additional. Chapter 100 of the Revised Statutes is hereby amended by adding thereto 10 new sections to be numbered 136-A to 136-J, inclusive, to read as follows:

'Trading Stamps.

Sec. 136-A. License. It is declared that it is in the public interest to require the licensing of persons desiring to engage in or carry on the business of issuing or selling to merchants trading stamps, or any device or substitute therefor, or any stamps or certificates of like character which are to be given by merchants to purchasers of goods, wares or merchandise and which said stamps, certificates or devices, or substitute therefor, the person issuing or selling the same agrees to accept in payment for goods, wares and merchandise kept on hand by himself or another for redemption or for distribution by the person issuing or selling such stamps or certificates. It shall be unlawful for any person to engage in such business until such person shall have been licensed as provided in sections 136-A to 136-J, inclusive, but nothing herein contained shall be construed as limiting the right of merchants to distribute such stamps.

Sec. 136-B. Fees. Every person before engaging in or carrying on the business of issuing or selling trading stamps to merchants in any county shall obtain a state license paying therefor an annual fee of \$500. Such license shall be issued by the Secretary of State and shall be valid only in that county specified therein. Each license shall state the nature of the license, the county in which the same shall be valid, the date of issuance, the name and address of the licensee

and such additional information as the Secretary of State may prescribe, and shall be numbered and memorandum thereof recorded by the Secretary of State in a book kept for that purpose.

Sec. 136-C. Application. Application for a state license to issue or sell trading stamps to merchants shall be made in writing to the Secretary of State upon blanks prepared by him for that purpose. In the case of persons, the application shall contain the name, age, residence and address, and the name and address of the principal place of business of his employer or principal. In the case of corporations, the application shall contain the name, address of principal place of business, and names of its officers. Every application made shall state the county for which a license is sought and shall contain such additional information as the Secretary of State may prescribe.

Sec. 136-D. Time of expiration. Each license granted under the provisions of sections 136-A to 136-C, inclusive, shall, unless sooner revoked, expire on December 31st of the year in which it is issued.

Sec. 136-E. Refusal and revocation. The Secretary of State shall have the right to refuse a license when he has reason to believe that the applicant is not financially responsible or when in his judgment the applicant is not a suitable person to have such a license, and may for reasonable cause revoke any such license granted.

Sec. 136-F. Issuance or sale of trading stamps. No person shall issue or sell to merchants trading stamps, or any device or substitute therefor, or any stamps or certificates of like character unless each of such stamps, certificates or devices, or substitute therefor, has legibly printed or written upon the face thereof redeemable value thereof in lawful money of the United States.

Sec. 136-G. Redemption of trading stamps. Any person issuing or selling to merchants trading stamps, or any device or substitute therefor, or any stamps or certificates of like character which are to be given by merchants to purchasers of goods, wares or merchandise and which said stamps, certificates or devices, or substitute therefor, entitles the purchaser or holder thereof on the presentation thereof either singly or in definite number to receive from the person issuing or selling the same or other person, money, goods, wares or merchandise shall redeem them upon presentation, either in goods, wares, merchandise or money, at the option of such purchaser or holder, at the value in money printed on the face thereof, provided such stamps are presented for redemption in number aggregating in money value not less than 5c in each lot.

Sec. 136-H. Exemptions. The provisions of sections 136-A to 136-G, inclusive, shall not apply to tickets, coupons or other vouchers placed by a merchant or manufacturer in or upon packages of goods sold or manufactured by him if such tickets, coupons or other vouchers are to be redeemed by such merchant or manufacturer.

Sec. 136-I. Discrimination in issuance or sale of trading stamps. Any person engaging in or carrying on the business of issuing or selling to merchants trading stamps, or any device or substitute thereof who, with intent to injure competitors or destroy competition of any merchant, discriminates in the issuance

or sale of such stamps to said merchant shall be punished by a fine of not more than \$500.

Sec. 136-J. Penalty. Any person who violates any of the provisions of sections 136-A to 136-G, inclusive, or who makes a false statement in or in connection with an application for such license, shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than 11 months, or by both.'