

MAINE STATE LEGISLATURE

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ONE - HUNDRE DTH LEGISLATURE

Legislative Document

No. 1106

H. P. 792

House of Representatives, February 1, 1961

Referred to Committee on Business Legislation. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Brown of So. Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-ONE

AN ACT to Eliminate Discrimination Between Purchasers.

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

R. S., c. 137, § 55, additional. Chapter 137 of the Revised Statutes, as amended, is further amended by adding a new section to be numbered 55, to read as follows:

'Discrimination Between Purchasers.

Sec. 55. Discrimination between purchasers. It shall be unlawful for any person engaged in commerce, in the course of such commerce, either directly or indirectly, to discriminate in price between different purchasers of commodities of like grade and quality, where the effect of such discrimination may be substantially to lessen competition or tend to create a monopoly in any line of commerce, or to injure, destroy or prevent competition. Nothing in this section shall prevent differentials which make only reasonable allowances for differences resulting from differing quantities in which said commodities are, to such purchasers, sold or delivered.

Any gift, token, reward, emolument, kick-back, rebate, allowance, credit or benefit given or extended by a supplier of commodities to any retail dealer in the State of Maine, in consideration of any change in the retail price of such commodities shall be prima facie, a discrimination in price and a violation of this section unless such benefit shall have been extended to all retail dealers engaged in the retail sale of such commodities of like grade and quality. For the purposes of this section the term "commodity" shall be deemed to include, but in no way limited to, gasoline and other petroleum products.

Any person, firm or corporation violating this section shall be punished by a fine of not more than \$500 or by imprisonment for not more than 11 months, or by both.'