

# MAINE STATE LEGISLATURE

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(EMERGENCY)  
FIRST SPECIAL SESSION

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ONE HUNDRED AND SIXTH LEGISLATURE

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**Legislative Document**

**No. 2090**

H. P. 1697

House of Representatives, January 2, 1974

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

E. LOUISE LINCOLN, Clerk

Presented by Mr. McKernan of Bangor.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-FOUR

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**AN ACT Relating to Personal Service of Process Outside  
the State under the Unfair Trade Practices Act.**

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**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, it is necessary to enjoin persons outside this State from violating the Unfair Trade Practices Act in order to protect the citizens of this State; and

Whereas, in some cases the conduct which violates the Unfair Trade Practices Act does not constitute any of the acts enumerated under the Revised Statutes, Title 14, section 704; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of the State of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**R. S., T. 5, § 215, additional.** Title 5 of the Revised Statutes is amended by adding a new section 215 to read as follows:

**§ 215. Personal service of process outside the State.**

In addition to Title 14, section 704, personal service of any process in any action under this chapter, including a civil investigative demand, may be

made upon any person outside this State, if such person has engaged in conduct in violation of this chapter which has had the impact in this State which this chapter prohibits. Such persons shall be deemed to have thereby submitted themselves to the jurisdiction of the courts of this State. The effect of this section shall be the same as Title 14, section 704.

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved.

#### STATEMENT OF FACT

The purpose of this bill is reflected in the emergency preamble.