

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)

(EMERGENCY)
FIRST SPECIAL SESSION

ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 2091

H. P. 1698

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 Mrs. Snowe of Auburn.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FOUR

**AN ACT Relating to Place of Examination under Unfair
Trade Practices Act.**

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

Whereas, it is frequently necessary to inspect documentary material of corporations and other business entities in enforcing the Unfair Trade Practices Act; and

Whereas, under the present law, documentary material can only be inspected at the principal office or place of business of the person served, unless the parties agree to another time and place; and

Whereas, some persons served refuse to agree to another place for inspection of the documentary material; and

Whereas, many business entities do not have adequate facilities to permit efficient inspection of documentary material; and

Whereas, many of the business entities served have their principal office or place of business located in another state, and would involve great expenditure by this State to send a representative of the Attorney General's Office to inspect the documentary material; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution 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, § 211, amended. The first sentence of the 2nd paragraph of section 211 of Title 5 of the Revised Statutes, as enacted by section 1 of chapter 577 of the public laws of 1969, is amended to read as follows:

Documentary material demanded pursuant to this section shall be produced for inspection, **reproduction** and copying during normal business hours at the principal office or place of business of the person served, **or in the county where such person resides or has a place of business, or in Kennebec County if the person served is a non-resident or has no place of business within the State**, or at such other times and places as may be agreed upon by the person served and the Attorney General.

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.