

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 341

H. P. 277

House of Representatives, February 9, 1977

On motion of Ms. Clark of Freeport, referred to the Committee on Business Legislation. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mrs. Gill of South Portland.

Cosponsor: Mr. Marshall of Millinocket.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

**AN ACT to Revise the Measure of Damages Under the Unfair Trade
Practices Act.**

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

5 **MRSA § 209**, first sentence, as amended by PL 1971, c. 229, is repealed and the following enacted in its place:

Whenever the Attorney General has reason to believe that any person is using or is about to use any method, act or practice declared by section 207 to be unlawful and that proceedings would be in the public interest, he may bring an action in the name of the State against such person to restrain by temporary or permanent injunction the use of such method, act or practice and the court may make such other orders or judgments as may be necessary to restore to any person who has suffered any ascertainable loss by reason of the use or employment of such unlawful method, act or practice, any moneys or property, real or personal, which may have been lost and any other damages caused thereby.

STATEMENT OF FACT

This bill is intended to change the measure of recoverable damages under the Unfair Trade Practices Act to allow recovery to the victim of an unfair and deceptive trade practice of all ascertainable loss resulting from the violation of the statute.