

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 364

H. P. 275

House of Representatives, February 9, 1977

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

EDWIN H. PERT, Clerk

Presented by Mr. Marshall of Millinocket.

Cosponsor: Mrs. Gill of South Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

**AN ACT to Provide a Civil Penalty for the Willful Violation of the
Unfair Trade Practices Act.**

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

5 MRSA § 212-A is enacted to read:

§ 212-A. Civil penalty

Upon petition of the Attorney General in any suit brought under this chapter, if the court finds that a person has willfully used any act or practice declared by section 207 to be unlawful, the court may award a civil penalty not to exceed \$10,000 to be paid to the State.

STATEMENT OF FACT

This bill enacts a civil penalty for willful violation of the Unfair Trade Practices Act. It provides an alternative remedy in those cases where restitution is impossible and the nature of the violation would justify the imposition of a financial penalty.