## MAINE STATE LEGISLATURE

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## FIRST REGULAR SESSION

## ONE HUNDRED AND THIRTEENTH LEGISLATURE

| Legislative Document  |                               | No. 95          | 51  |
|---|-------------------------------|-----------------|-----|
| S.P. 323  | In Sen                        | ate, March 27,  | 198 |
| Reference to the Committee o  | on Judiciary                  | suggested and   |     |
| JOY J. O'BF<br>Presented by Senator BRANNIGAN of<br>Cosponsored by Representativ<br>Representative GURNEY of Portland | Cumberland.<br>Te COTE of Aul | ary of the Sena | te  |
| STATE OF  | MAINE                         |                 |     |
| IN THE YEAR O   |                               | GEVEN           |     |
| AN ACT Authorizing Re<br>Penalty Act  |                               | n Civil         |     |
| Ge it enacted by the People of follows:   | of the Stat                   | e of Maine      | as  |
| Sec. 1. 5 MRSA §205-A i   | s enacted t                   | o read:         |     |
| 3205-A. Short title   |                               |                 |     |
| This chapter will be known the Maine Unfair Trade Pract:  | wn as and m<br>ices Act.      | ay be cited     | as  |

Sec. 2. 5 MRSA  $\S209$ , as amended by PL 1981, c. 339, is further amended by adding at the end a new

paragraph to read:

| 1 | In any action by the Attorney General brought         |
|---|---|
|   | against the defendant for violating the terms of an   |
| 3 | injunction issued under this section, the court may   |
|   | make such orders or judgments as may be necessary to  |
|   | restore to any persons who have suffered any ascer-   |
| 6 | tainable loss by reason of such conduct found to be   |
| 7 | in violation of an injunction, any money or property, |
| 8 | real or personal, which may have been acquired by     |
| 9 | means of such conduct.                                |

10 STATEMENT OF FACT

The purpose of this bill is to allow the Attorney General when seeking penalties for violations of an unfair trade practice injunction to also seek restitution for newly injured consumers. It also formally adopts the title of the Maine Unfair Trade Practices Act.

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