

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
115TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 566, L.D. 809, Bill, "An Act to Amend Maine's Antitrust Laws"

Amend the bill by striking out all of section 2 and inserting in its place the following:

'Sec. 2. 10 MRSA §1104, sub-§2, ¶D is enacted to read:

D. Any person who violates the terms of an injunction issued under this section must forfeit and pay to the State, to be applied in carrying out this chapter, a civil penalty of not more than \$50,000 for each violation.'

Further amend the bill in section 3 by striking out all of the first paragraph (page 1, lines 23 to 28 in L.D.) and inserting in its place the following:

'3. Civil penalty. Each course of conduct which that constitutes a violation of sections section 1101 and or 1102 is a civil violation for which a civil penalty of not more than ~~\$50,000~~ \$100,000 for each defendant shall may be adjudged.'

Further amend the bill by inserting at the end before the statement of fact the following:

'FISCAL NOTE

This bill creates a new civil penalty for contempt of a court order in an antitrust case. The additional work load and administrative costs associated with a minimal number of additional cases filed in Superior Court will be absorbed within the budgeted resources of the Judicial Department. There will also be an increase in General Fund revenue from the collection of civil penalties. The amount of revenue can not be estimated at this time.'

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STATEMENT OF FACT

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This amendment deletes the requirement that the Attorney General recover the costs of an antitrust proceeding. As in the original bill, the civil penalty for engaging in restraint of trade or conspiracy to monopolize is increased from \$50,000 to \$100,000.

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This amendment also adds a fiscal note.

Reported by the Committee on Judiciary
Reproduced and distributed under the direction of the Clerk of the House
(4/16/91) (Filing No. H-126)