

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

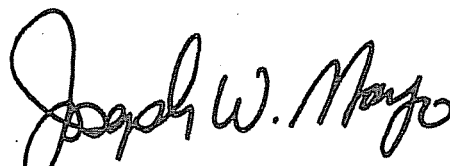
No. 603

H.P. 466

House of Representatives, February 23, 1993

An Act to Allow All Retailers to Obtain Cigarettes at the Same Price.

Reference to the Committee on Business Legislation suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative MICHAEL of Auburn.
Cosponsored by Representatives: BARTH of Bethel, CAMPBELL of Holden, JOY of Island Falls, KUTASI of Bridgton.

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

4 Sec. 1. 10 MRSA c. 218 is enacted to read:

6 CHAPTER 218

8 CIGARETTE PRICES

10 §1479. Price differentials prohibited

12 A person selling cigarettes to retailers shall sell them at the same price to all retailers in the same competitive market area.

14 §1480. Reporting of prices

16 A person selling cigarettes at wholesale shall post with the Bureau of Alcoholic Beverages and Lottery Operations the delivered prices for which that person sells cigarettes to retail dealers. Cigarette wholesalers shall give written notice of price changes to the bureau at least 15 days before the effective date of the change. All price changes must be effective on the first day of a month.

24 §1480-A. Remedies and penalties

26 1. Civil remedies. A person who has been damaged by reason of a violation of this chapter may bring an action to restrain and enjoin the violator. The person may also bring an action to recover from the defendant 3 times the amount of actual damages sustained and the costs of the action, including reasonable attorney's fees.

32 2. Criminal penalty. A person who violates this chapter is guilty of a Class E crime.

34 STATEMENT OF FACT

36 This bill requires all persons who sell cigarettes to
38 retailers to sell them at the same price to all retailers in the
40 same competitive marketplace. Those persons are required to
42 report their prices to the Bureau of Alcoholic Beverages and
44 Lottery Operations. Violation of either of these provisions is a
46 Class E crime. An aggrieved retailer may bring an action for 3
times the damages sustained.