

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 1251

S.P. 455

In Senate, April 11, 1995

An Act to Regulate the Wholesale Sale of Cigarettes.

Reference to the Committee on Business and Economic Development suggested and ordered printed.

A handwritten signature in cursive script that reads "May M. Ross".

MAY M. ROSS
Secretary of the Senate

Presented by Senator MILLS of Somerset.

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

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

CHAPTER 218

CIGARETTE PRICES

§1479. Price differentials prohibited

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

§1480. Reporting of prices

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.

§1480-A. Remedies and penalties

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.

2. Criminal penalty. A person who violates this chapter commits a Class E crime.

STATEMENT OF FACT

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