

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1984 to June 20, 1985

Chapters 1-384

PUBLISHED BY THE REVISOR OF STATUTES IN ACCORDANCE WITH
MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 163-A,
SUBSECTION 4.

J.S. McCarthy Co., Inc.
Augusta, Maine
1986

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

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1985

for any contributions assessed and deemed final under Title 26, section 1225, when the Director of Unemployment Compensation certifies that the amount remains unpaid for a period greater than 60 days, after the applicant or licensee has received notice of the finality of that tax. It shall be unlawful for any licensee or any applicant for license, directly or indirectly, to receive any money, credit, thing of value, indorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person, association or corporation within or without the State, if such person, association or corporation shall be engaged, directly or indirectly, in the manufacture, distribution, sale, storage or transportation of liquor; or if such person, association or corporation shall be engaged in the manufacture, distribution, sale or transportation of any commodity, equipment, material or advertisement used in connection with the manufacture, distribution, sale, storage or transportation of liquor. No Maine retail liquor licensee shall have any interest, direct or indirect, in any Maine manufacturer's or wholesaler's license or certificate of approval issued to an out-of-state manufacturer or foreign wholesaler of malt liquor or table wine; and no out-of-state manufacturer or foreign wholesaler having a state certificate of approval, nor any state wholesaler or manufacturing licensee, shall have any interest, direct or indirect, in any state retail liquor license. Minor investment in securities of a corporation engaged in liquor business not amounting to more than 1% shall not be held to be an interest forbidden by the foregoing sentence. This section shall not prohibit a wholesaler from receiving normal credits for the purchase of malt liquor or table wine from the manufacturer thereof within or without the State.

Effective September 19, 1985.

CHAPTER 349

H.P. 809 - L.D. 1156

AN ACT To Provide Penalties for Violations of
Antitrust Statutes.

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

10 MRSA §1104, as amended by PL 1983, c. 340, §2, is further amended by adding at the end a new paragraph to read:

Each course of conduct which constitutes a violation of sections 1101 and 1102 is a civil violation for which a civil penalty of not more than \$50,000 for each defendant shall be adjudged. In any action initiated by the Attorney General pursuant to this section to prevent and restrain violations of sections 1101 and 1102, the Attorney General may include an action to recover civil penalties by each defendant for each course of conduct alleged. An action to recover a civil penalty from a defendant under this section shall bar a criminal prosecution pursuant to section 1101 or 1102 against that defendant for the same course of conduct on which the action to recover the civil penalty is based. A criminal prosecution against a defendant pursuant to section 1101 or 1102 shall bar any action to recover a civil penalty under this section from that defendant for the same course of conduct on which the criminal prosecution is based.

Effective September 19, 1985.

CHAPTER 350

S.P. 210 - L.D. 568

AN ACT to Make Allocations from the
Transportation Safety Fund for the
Fiscal Years Ending June 30, 1986, and
June 30, 1987.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of the department will become due and payable on or immediately after July 1, 1985; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following