

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 550

H.P. 405

House of Representatives, January 28, 1997

**An Act to Ensure Fairness to Merchants under an Implied Warranty of
Merchantability.**

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

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative BUCK of Yarmouth.
Cosponsored by Senator BUTLAND of Cumberland and
Representatives: FISK of Falmouth, LEMAIRE of Lewiston, PINKHAM of Lamoine,
SAMSON of Jay, THOMPSON of Naples, VIGUE of Winslow.

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

4 **Sec. 1. 11 MRSA §2-314, sub-§(4), is enacted to read:**

6 (4) When a seller of consumer goods is required to honor an
8 implied warranty of merchantability, the seller has a right of
10 reimbursement from the manufacturer of those consumer goods when
12 a defect is the fault of the manufacturer.

14 **SUMMARY**

16 This bill provides sellers of consumer goods who are required to honor implied warranties of merchantability to their customers with recourse against the manufacturer of those goods to compensate the sellers.