

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE

FIRST REGULAR SESSION

January 5, 1977 to July 25, 1977

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ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 164, SUBSECTION 6.

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1977

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED AT THE
FIRST REGULAR SESSION
of the
ONE HUNDRED AND EIGHTH LEGISLATURE
1977

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

32 MRSA §§ 4662 and 4663, as enacted by PL 1969, c. 395, are repealed and the following enacted in their places:

§ 4662. Contents of contract

Where merchandise is sold or contracted to be sold, whether under a single contract or under multiple contracts, to a consumer as a result of or in connection with a salesman's direct contact accomplished by means of and including, but not limited to, a personal visit or a telephone call upon the consumer, other than at the seller's place of business, without the consumer soliciting the initial contact, the contract shall be in writing, bear the signature of the seller and the consumer, contain the date of the transaction, the terms of the sale or offer, the name and mailing address of the seller and a statement of the consumer's right to avoid as provided in this subchapter. A completely executed copy of the contract or agreement shall be furnished by the seller to the consumer immediately after the consumer signs the agreement or contract.

§ 4663. Consumer's right of avoidance

Where merchandise is sold or contracted to be sold, whether under a single contract or under multiple contracts, to a consumer as a result of or in connection with a salesman's direct contact accomplished by means of and including, but not limited to, a personal visit or a telephone call, upon the consumer other than at the seller's place of business, without the consumer soliciting the initial contact or sale, the consumer may void the contract or sale by giving notice of his intention not to be bound by the contract or sale and returning or making available for return any merchandise delivered pursuant to the terms of this subchapter.

Effective October 24, 1977

CHAPTER 332

AN ACT Concerning the Membership of the Standardization Committee.

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

5 MRSA § 1814, as last amended by PL 1969, c. 300, § 3, is repealed and the following enacted in its place:

§ 1814. Standardization Committee

A Standardization Committee, as heretofore established, shall consist of the Governor or his representative, 4 public members and 2 department or agency heads or their representatives as may be designated by the Governor. In addition, the State Purchasing Agent shall be an ex officio, nonvoting member

of the committee. The 4 public members and the department or agency heads or their representatives shall serve at the pleasure of the Governor. The 4 public members shall be representative of the industry, commerce and political subdivisions of Maine, and shall not be officials or employees of the State.

The Governor or his representative and the appointed department or agency heads or their representatives shall serve on the Standardization Committee without additional compensation but shall be reimbursed for expenses incurred in connection with such service. The 4 public members shall be paid the necessary expenses incurred in the performance of their duties, and in addition thereto, they shall each receive \$25 per day for attendance at committee meetings.

A majority of the members shall elect a recording secretary of the Standardization Committee, who shall maintain a complete record of the minutes of every committee meeting. Upon the request of the committee, the State Purchasing Agent shall furnish such assistance as the committee requests. The committee shall meet at least semiannually and at such other times as the Commissioner of Finance and Administration may request or at such other times as may be deemed necessary by at least 3 members of the committee. Committee meetings shall be held at such locations as may be agreed upon by a majority of the members of the committee.

The per diem allowance and the expenses of the public members and the expenses of the Governor or his representative, and the designated department or agency heads or their representatives, for attendance at committee meetings, shall be paid from the appropriation of the State Bureau of Purchases.

It shall be the duty of the Standardization Committee to advise the State Purchasing Agent and the Commissioner of Finance and Administration in the formulation, adoption and modification of the rules and regulations which shall prescribe the purchasing policy of the State and to assist the State Purchasing Agent in the formulation, adoption and modification of the specifications as may be deemed necessary for the procurement of services, supplies, materials and equipment required for use by the State or any department or agency thereof.

In addition, whenever the State Purchasing Agent, after having received bids on a contract, awards the contract to anyone other than the lowest responsible bidder, shall notify the Standardization Committee. The Standardization Committee shall evaluate the reasons for that award in a written report. That report shall be made available for public inspection in the office of the Department of Finance and Administration during normal business hours.

Effective October 24, 1977

CHAPTER 333

AN ACT Concerning the Payment of Workmen's Compensation Pending an Appeal to the Supreme Judicial Court.