

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND TENTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 1980 to June 19, 1981

AND AT THE

FIRST SPECIAL SESSION
August 3, 1981

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PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

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1981

CHAPTER 186

H. P. 589 — L. D. 667

AN ACT Relating to the Marking of Glassware.

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

10 MRSA § 2955, as amended by PL 1979, c. 541, Pt. A, § 98, is repealed and the following enacted in its place:

§ 2955. Marking of glassware

All bottles, pipettes and other measuring glassware used to determine the value of milk and cream received from producers shall meet the specifications of the National Bureau of Standards.

No person may use any sulfuric acid of less than 1.82 of specific gravity tested at 60° Fahrenheit, in the Babcock test for the purpose of measuring the milkfat contents in milk or cream as a basis for apportioning the value of the milk or cream.

Effective September 18, 1981

CHAPTER 187

H. P. 833 — L. D. 1000

AN ACT to Prevent Certain Abuses in Door-to-Door Sales.

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

Whereas, the protections afforded consumers by the following legislation generally concern home improvements; and

Whereas, the season in which home improvements are primarily undertaken will begin well before the following legislation would normally take effect; 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 legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 9-A MRSA § 3-502, sub-§ 5 is enacted to read:

5. If the agreement or offer to purchase requires the seller to affix goods permanently to real estate or its appurtenances, then the seller may not begin performance as long as the buyer has the right to cancel.

Sec. 2. 9-A MRSA § 3-503, sub-§ 2, ¶ B, last sentence, as enacted by PL 1973, c. 762, § 1, is amended to read:

If you cancel by this date, the seller may not keep any of your cash down payment. **** If this agreement requires the seller to affix goods to real estate, then the seller may not begin the work until _____ when cancellation right lapses.****
(Stated date)

Sec. 3. 32 MRSA § 4662, first sentence, as repealed and replaced by PL 1977, c. 331, is amended to read:

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 **and a statement of the limitation contained in section 4664-A.**

Sec. 4. 32 MRSA § 4664-A is enacted to read:

§ 4664-A. Time of seller's performance

If the contract requires the seller to affix merchandise permanently to real estate or its appurtenances, then the seller may not begin performance as long as the consumer has the right to cancel.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective April 22, 1981

CHAPTER 188

S. P. 153 — L. D. 361

AN ACT to Regulate Interest Rates on Life Insurance Policy Loans.