

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 980

S. P. 314

In Senate, February 21, 1973

Referred to Committee on Judiciary. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Richardson of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

AN ACT Relating to Limitation of Exclusion or Modification of Warranties
on Consumer Goods.

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

Sec. 1. R. S., T. 11, § 2-316-A, additional. Title 11 of the Revised Statutes is amended by adding a new section 2-316-A to read as follows:

§ 2-316-A. —application

Section 2-316 shall not apply to sales of consumer goods. Any language, oral or written, used by a manufacturer, seller or supplier of consumer goods which attempts to exclude or modify any implied warranties of merchantability and fitness for a particular purpose or to exclude or modify the consumer's remedies for breach of those warranties, shall be unenforceable.

Sec. 2. Application. This Act shall not be construed to affect any transaction occurring prior to the effective date of this Act.

STATEMENT OF FACT

The purpose of this bill is to prevent the denial of remedies to persons damaged by defective consumer goods.