

MAINE STATE LEGISLATURE

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3
P. 25

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BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT

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**STATE OF MAINE
SENATE
124TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 403, L.D. 1085, Bill, "An Act Concerning Dispute Resolution in Home Construction Contracts"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

Sec. 1. 10 MRSA §1487, sub-§8, as enacted by PL 1987, c. 574, is amended to read:

8. Resolution of disputes. A statement allowing the parties the option to adopt one of 3 methods of resolving contract disputes in addition to the option of a small claims action. At a minimum, this statement must provide the following information:

"If a dispute arises concerning the provisions of this contract or the performance by the parties that may not be resolved through a small claims action, then the parties agree to settle this dispute by jointly paying for one of the following (check only one):

(1) Binding arbitration ~~as regulated by~~ under the Maine Uniform Arbitration Act, ~~with in which~~ the parties ~~agreeing agree~~ to accept as final the arbitrator's decision ();

(2) Nonbinding arbitration, with the parties free to ~~not accept reject~~ the arbitrator's decision and to seek ~~satisfaction a solution~~ through other means, including a lawsuit (); or

(3) Mediation, ~~with in which~~ the parties ~~agreeing to enter into good faith negotiations~~ negotiate through a neutral mediator in ~~order to attempt an effort~~ to resolve their differences in advance of filing a lawsuit ();"

SUMMARY

This amendment replaces the bill. It changes the home construction contract laws to notify the parties of the option of resolving any smaller disputes in small claims court prior to engaging in mediation or arbitration.

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



124th MAINE LEGISLATURE

LD 1085

LR 1546(02)

An Act Concerning Dispute Resolution in Home Construction Contracts

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Business, Research and Economic Development

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund
Minor revenue increase - General Fund

Correctional and Judicial Impact Statements

Increases the number of small claims cases.

The collection of additional filing fees may also increase General Fund revenue by minor amounts.