

MAINE STATE LEGISLATURE

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L.D. 1772

Date: 3/5/2018 Majority

(Filing No. S-374)

LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT

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**STATE OF MAINE
SENATE
128TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 659, L.D. 1772, Bill, "An Act To Establish a Study Commission To Examine the Implied Warranty Laws and the Arbitration Process for Those Laws"

Amend the bill by striking out the title and substituting the following:

'Resolve, Directing the Attorney General To Update the Portions of the Consumer Law Guide Pertaining to Implied Warranties'

Amend the bill by striking out everything after the title and inserting the following:

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

Whereas, this resolve directs the Attorney General to update the portions of the Attorney General's Consumer Law Guide pertaining to implied warranties on consumer goods by July 1, 2018; and

Whereas, enactment of this resolve before the 90-day period expires is necessary to provide the Attorney General sufficient time to complete the update by July 1, 2018; 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

Sec. 1. Attorney General to update Consumer Law Guide. Resolved: That, by July 1, 2018, the Attorney General shall review and update the portions of the Attorney General's Consumer Law Guide pertaining to implied warranties on consumer goods other than motor vehicles. In conducting this review, the Attorney General shall consult with individuals representing the interests of manufacturers and retailers of consumer goods, including household appliances, as well as consumer advocates. Based on that review, the Attorney General shall update the Consumer Law Guide to, at a minimum, clarify the scope of a consumer's responsibility to follow the operation and maintenance guidelines contained in the manufacturer's user manual for a consumer good

COMMITTEE AMENDMENT

1 other than a motor vehicle and the effect of a consumer's failure to follow those operation
2 and maintenance guidelines on the availability of relief under the implied warranty
3 provisions of the laws of this State.

4 **Emergency clause.** In view of the emergency cited in the preamble, this
5 legislation takes effect when approved.'

6 **SUMMARY**

7 This amendment, which is the majority report of the committee, replaces the bill,
8 which is a concept draft, with a resolve. The resolve directs the Attorney General to
9 review and update the Attorney General's Consumer Law Guide as it pertains to implied
10 warranties on consumer goods other than motor vehicles by July 1, 2018.

11 **FISCAL NOTE REQUIRED**

12 (See attached)



128th MAINE LEGISLATURE

LD 1772

LR 2588(02)

An Act To Establish a Study Commission To Examine the Implied Warranty Laws and the Arbitration Process for Those Laws

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-374)
Committee: Labor, Commerce, Research and Economic Development
Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

The additional costs to the Department of the Attorney General to update the Consumer Law Guide are expected to be minor and can be absorbed utilizing existing budgeted resources.