

MAINE STATE LEGISLATURE

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ACTS, RESOLVES AND CONSTITUTIONAL RESOLUTIONS

AS PASSED BY THE

One Hundred and Sixth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with the Revised Statutes of 1964, Title 3, Section 164, Subsection 6.

THE KNOWLTON AND McLEARY COMPANY
FARMINGTON, MAINE
1973

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Sixth Legislature

1973

Sec. 2. R. S., T. 13-A, § 1215, sub-§ 2, repealed. Subsection 2 of section 1215 of Title 13-A of the Revised Statutes, as enacted by section 1 of chapter 439 and as amended by section 20 of chapter 565, both of the public laws of 1971, is repealed.

Sec. 3. R. S., T. 13-A, § 1301, sub-§ 6, amended. Subsection 6 of section 1301 of Title 13-A of the Revised Statutes, as enacted by section 1 of chapter 439 of the public laws of 1971, is amended to read as follows:

6. The requirement of subsection 1 shall not apply to religious, charitable, educational or benevolent corporations, nor to corporations organized under Title 13, chapter 81, nor to corporations organized under Title 27, chapter 7 ~~nor to corporations which are liable to a franchise tax other than the tax provided for in Title 36, section 2401.~~

Effective October 3, 1973

CHAPTER 441

AN ACT Relating to Lack of Privity as a Defense in Action Against Manufacturer, Seller or Supplier of Goods.

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

Sec. 1. R. S., T. 11, § 2-318, repealed and replaced. Section 2-318 of Title 11 of the Revised Statutes, as repealed and replaced by section 1 of chapter 327 of the public laws of 1969, is repealed and the following enacted in place thereof:

§ 2-318. When lack of privity no defense in action against manufacturer, seller or supplier of goods

Lack of privity between plaintiff and defendant shall be no defense in any action brought against the manufacturer, seller or supplier of goods for breach of warranty, express or implied, although the plaintiff did not purchase the goods from the defendant, if the plaintiff was a person whom the manufacturer, seller or supplier might reasonably have expected to use, consume or be affected by the goods.

Sec. 2. R. S., T. 14, § 161, repealed and replaced. Section 161 of Title 14 of the Revised Statutes, as enacted by section 2 of chapter 327 of the public laws of 1969, is repealed and the following enacted in place thereof:

§ 161. When lack of privity no defense in action against manufacturer, seller or supplier of goods

Lack of privity between plaintiff and defendant shall be no defense in any action brought against the manufacturer, seller or supplier of goods under Title 11, section 2-318-A or for negligence, although the plaintiff did not purchase the goods from the defendant, if the plaintiff was a person whom the manufacturer, seller or supplier might reasonably have expected to use, consume or be affected by the goods.

Sec. 3. Application. This Act shall not be construed to affect any transaction occurring prior to the effective date of this Act.

Effective October 3, 1973

CHAPTER 442

AN ACT Relating to the Statute of Limitations in Contracts for Sale.

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

Sec. 1. R. S., T. 11, § 2-725, sub-§ (2), amended. Subsection (2) of section 2-725 of Title 11 of the Revised Statutes is amended by adding a new paragraph to read as follows:

A cause of action for personal injuries arising under this Article for breach of warranty occurs when the injury takes place and is governed by the limitation of action period under Title 14, section 752.

Sec. 2. Applicability. This amendment shall not be construed to affect any cause of action arising prior to the effective date of this Act.

Effective October 3, 1973

CHAPTER 443

AN ACT Relating to Requirement of Notice of Breach in Contracts of Sale Where Personal Injuries are Suffered.

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

Sec. 1. R. S., T. 11, § 2-607, sub-§ (7), additional. Section 2-607 of Title 11 of the Revised Statutes is amended by adding a new subsection (7) to read as follows:

(7) Subsection (3), paragraph (a) shall not apply where the remedy is for personal injury resulting from any breach.

Sec. 2. Application. This subsection shall not be construed to affect any action arising prior to the effective date of this Act.

Effective October 3, 1973

CHAPTER 444

AN ACT Relating to Warranties on Consumer Goods and Services.

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

R. S., T. 11, § 2-316, sub-§ (5), additional. Section 2-316 of Title 11 of the Revised Statutes is amended by adding a new subsection (5) to read as follows: