

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. 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:

(5) The provisions of subsections (2), (3) and (4) shall not apply to sales of new or unused consumer goods or services. Any language, oral or written, used by a seller or manufacturer of consumer goods and services, which attempts to exclude or modify any implied warranties or merchantability and fitness for a particular purpose or to exclude or modify the consumer's remedies for breach of those warranties, shall be unenforceable. Consumer goods and services are those goods and services, including mobile homes, which are used or bought primarily for personal, family or household purposes.

(a) A violation of sections 2-314, 2-315 or 2-316, arising from the retail sale of consumer goods and services, shall constitute a violation of Title 5, chapter 10, Unfair Trade Practices Act.

Effective October 3, 1973

CHAPTER 445

AN ACT to Amend the Municipal Official Conflict of Interest Law.

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

Sec. 1. R. S., T. 30, § 2251, sub-§ 1, amended. Subsection 1 of section 2251 of Title 30 of the Revised Statutes is amended to read as follows:

1. **Voting.** ~~Where it would be decisive, the~~ The vote by any official of a municipality in his official position on any question in which he has a direct or an indirect pecuniary interest is void.

Sec. 2. R. S., T. 30, § 2251, sub-§ 4, repealed. Subsection 4 of section 2251 of Title 30 of the Revised Statutes, as enacted by section 3 of chapter 247 of the public laws of 1967, is repealed.

Effective October 3, 1973

CHAPTER 446

AN ACT to Clarify the Industrialized Housing Act as it Relates to Mobile Homes.

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

Sec. 1. R. S., T. 30, § 4773, sub-§ 8, additional. Section 4773 of Title 30 of the Revised Statutes, as enacted by section 1 of chapter 456 of the public laws of 1971, is amended by adding a new subsection 8 to read as follows:

8. **Mobile home.** "Mobile home" means an industrialized house which is equipped with the necessary service connections and made so as to be readily movable as a unit on its own running gear and designed to be used as a dwelling unit without permanent foundation, but capable of being permanently plumbed.