

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

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notice of termination if he pays the full amount of rent due before the expiration of the notice.

Effective September 14, 1979

CHAPTER 299

H. P. 871 — L. D. 1076

AN ACT to Establish Minimum Warranties for the Sale and Installation of Solar Energy Equipment in Maine.

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

10 MRSA c. 221 is enacted to read:

CHAPTER 221 WARRANTIES FOR SALE AND INSTALLATION OF SOLAR ENERGY EQUIPMENT

§ 1491. Legislative findings and purpose

The Legislature finds that a major detriment to the commercialization of solar energy in Maine is lack of consumer confidence in the performance and reliability of solar energy equipment. It is the purpose of this chapter, therefore, to establish a minimum warranty for the sale and installation of all solar energy equipment in Maine.

§ 1492. Definitions

As used in this chapter, unless the context indicates otherwise, the following terms shall have the following meanings.

1. Solar energy equipment. "Solar energy equipment" means all controls, tanks, pumps, heat exchangers, collectors and all other equipment necessary for the collection, transfer and storage of solar energy, as determined by the Office of Energy Resources. Passive solar energy systems or those systems using natural means to collect, store and transfer solar energy shall not be included under this chapter.

§ 1493. Express warranty

The Office of Energy Resources shall establish an express warranty for the sale and installation of solar energy equipment in Maine. This express warranty shall, at a minimum, include the following:

1. **Five-year warranty.** A 5-year manufacturer's express warranty against defects in materials or manufacture of solar collectors;
2. **One-year warranty.** A one-year warranty against failure of the solar system when such failure is the result of improper installation; and
3. **Implied warranty.** Those implied warranties established in the Maine Uniform Commercial Code, Title 11, sections 2-314 and 2-315.

§ 1494. **Civil forfeiture; Unfair Trade Practices Act violation**

Any person who fails to provide the purchaser of solar energy equipment, as defined in this chapter, with a minimum warranty, as established by law, shall be deemed to have committed a civil violation for which a forfeiture of not less than \$200 nor more than \$500 for the first offense and not less than \$500 nor more than \$1,000 for each subsequent offense shall be adjudged. In addition to the civil penalty provided in this section, any violation of this chapter shall constitute a violation of Title 5, chapter 10.

Effective September 14, 1979

CHAPTER 300

S. P. 398 — L. D. 1216

AN ACT to Transfer the State Board of Certification for Geologists and Soil Scientists to the Department of Business Regulation.

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

Sec. 1. 32 MRSA § 4907, first sentence, as repealed and replaced by PL 1977, c. 78, § 188 is amended to read:

The State Board of Certification for Geologists and Soil Scientists is created and shall administer this chapter and its office shall be within the ~~Department of Conservation~~ **Department of Business Regulation**.

Sec. 2. 32 MRSA § 4907, sub-§ 4, as repealed and replaced by PL 1975, c. 760, § 10 is repealed and the following enacted in its place:

4. **Meetings.** The board shall meet annually and at such other times as it may deem necessary and keep a record of proceedings. The board shall, every 2 years, elect a chairman who shall be a member of the board. No chairman shall serve more than 2 consecutive terms.

Four members shall constitute a quorum.