

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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PUBLIC LAWS
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ONE HUNDRED AND NINTH LEGISLATURE
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CHAPTER 497

S. P. 415 — L. D. 1289

AN ACT to Conform Land Use Regulation in the Unorganized Territory to Statewide Standards.

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

Sec. 1. 12 MRSA § 683, first ¶, as amended by PL 1975, c. 771, § 136, is further amended by adding at the end a new sentence to read:

Of the potential appointees to the commission, the Governor shall give consideration to persons residing in or near the unorganized areas of the State.

Sec. 2 12 MRSA § 685-A, sub-§ 4, 3rd ¶, last sentence, as repealed and replaced by PL 1977, c. 390, § 2, is amended to read:

Any For a time period of 4 years after initial commission approval of these plans and regulations, any revisions or amendments to the adopted plan and regulation that are less protective than those in the adopted plan shall be submitted to the Land Use Regulation Commission for approval.

Sec. 3. 12 MRSA § 685-A, sub-§ 7, 2nd ¶, as amended by PL 1973, c. 569, § 10, if further amended to read:

At least 30 45 days prior to holding a public hearing on proposed land use district boundaries, the commission shall give notice of ~~said~~ the hearing to the owners of directly affected lands by mail, according to their names and addresses as shown on the records of the Bureau of Taxation and plantation tax assessors.

Effective September 14, 1979

CHAPTER 498

S. P. 544 — L. D. 1610

AN ACT to Indemnify Motor Vehicle Dealers for Legal Expenses Against the Manufacturer.

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

Sec. 1. 10 MRSA § 1174, sub-§ 3, ¶E, as enacted by PL 1975, c. 573, is amended to read:

E. To offer to sell or to sell any new motor vehicle at a lower actual price therefor than the actual price offered to any other motor vehicle dealer for the same model vehicle similarly equipped or to utilize any device including, but not limited to, sales promotion plans or programs which result in such lesser actual price; provided, however, this paragraph shall not apply to sales to a motor vehicle dealer for resale to any unit of the United States Government ~~the State or any of its political subdivisions~~; and provided, further, the provisions of this paragraph shall not apply to sales to a motor vehicle dealer of any motor vehicle ultimately sold, donated or used by said dealer in a driver education program; and provided further, that this paragraph shall not apply so long as a manufacturer, distributor, wholesaler or any agent thereof, offers to sell or sells new motor vehicles to all motor vehicle dealers at an equal price. This paragraph shall not apply to sales by a manufacturer, distributor or wholesaler to the United States Government or any agency thereof.

Sec. 2. 10 MRSA § 1175, as enacted by PL 1975, c. 573 is amended by adding at the end the following new paragraphs:

In any action or claim brought against the dealer on a product liability complaint in which it is later determined that the manufacturer is liable, the dealer shall be entitled, from the manufacturer, to receive its reasonable costs and attorney's fees incurred in defending the claim or action.

The court shall consider the dealer's share in the responsibility for the damages in awarding costs and attorney's fees.

Sec. 3. 10 MRSA § 1176 as enacted by PL 1975, c. 573 is amended by adding at the end the following new paragraph:

In any claim that is disapproved by the manufacturer, and the dealer brings legal action to collect the disapproved claim and is successful in the action, the court shall award the dealer the cost of the action together with reasonable attorney fees. Reasonable attorney fees shall be determined by the value of the time reasonably expended by the attorney and not by the amount of the recovery on behalf of the dealer.

Effective September 14, 1979

CHAPTER 499

H. P. 823 — L. D. 1023

AN ACT to Define Suitable Work after the First Twelve Consecutive Weeks of Unemployment.

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