

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINETEENTH LEGISLATURE

FIRST REGULAR SESSION
December 2, 1998 to June 19, 1999

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 18, 1999

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1999

Sec. 1. 7 MRSA §3153, sub-§2, ¶A, as amended by PL 1989, c. 436, §5, is further amended to read:

A. Effective June 1, 1984, each Maine market dealer shall, on a monthly basis, calculate for its Maine market producers the amount of payment at the adjusted base minimum price that would be payable to its Maine market producers according to the blend price calculated using that dealer's utilization rate, and the amount of payment at the base minimum price that would be due its Maine market producers according to the blend price calculated using the applicable utilization rate for the New England Milk Marketing Order. Each Maine market dealer shall make an initial payment at the base minimum price to its Maine market producers according to the blend price calculated using the Federal Milk Order utilization rate or the Federal Milk Order Zone 1 blend price, whichever is greater, but shall comply in all other respects with chapter 603. Any additional payment at the adjusted base minimum price that would be due its Maine market producers pursuant to that dealer's applicable utilization rate ~~shall~~ **must** be made to the Maine Milk Pool. Based on the fact that northern Maine market producers presently operate at significantly higher costs because of their remoteness from markets and supplies, that they face greater risks because they operate on a closer margin and because their markets are less secure, payments to the Maine Milk Pool at the adjusted base minimum price attributable to northern Maine market producers ~~shall~~ **must** be reduced by 1/2 and those producers' initial payments under this section ~~shall~~ **must** be increased by the corresponding amounts. The commissioner shall adopt by rule such procedures as are necessary to implement this section.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect June 1, 1999.

Effective June 1, 1999.

CHAPTER 211

H.P. 1210 - L.D. 1739

An Act Relating to New and Used Car Document Fees

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

Sec. 1. 29-A MRSA §953-A is enacted to read:

§953-A. Document fees

A dealer selling a new or used motor vehicle shall post on the vehicle any document preparation fee that will be added to the vehicle's sale price. A violation of this section is prima facie evidence of an unfair trade practice and is a violation of Title 5, section 207.

See title page for effective date.

CHAPTER 212

H.P. 1405 - L.D. 2010

An Act to Amend the Maine Lemon Laws

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

Sec. 1. 10 MRSA §1161, sub-§4, as enacted by PL 1985, c. 220, §1, is amended to read:

4. Reasonable allowance for use. "Reasonable allowance for use" means ~~that amount obtained by multiplying the total purchase price of the vehicle by a fraction having as its denominator 100,000 and having as its numerator the number of miles that the vehicle traveled prior to the manufacturer's acceptance of its return~~ an amount that can not exceed the lesser of 1/3 of that amount allowed per mile by the United States Internal Revenue Service as provided by regulation, revenue procedure or revenue ruling promulgated under the United States Internal Revenue Code, Title 26, Section 162 for the use of a personal vehicle for business purposes or 10% of the purchase price of the vehicle.

Sec. 2. 10 MRSA §1163, sub-§2, ¶C, as enacted by PL 1985, c. 220, §3, is amended to read:

C. ~~Costs~~ Reasonable costs incurred by the consumer for towing and storage of the vehicle and for procuring alternative transportation while the vehicle ~~was out of service by reason of repair~~ could not be driven because it did not conform to any applicable express warranty.

Sec. 3. 10 MRSA §1168, sub-§3 is enacted to read:

3. Termination of lease and obligations. The lessee's lease agreement with the motor vehicle lessor and all contractual obligations terminate upon a decision that the vehicle does not conform to the vehicle's express warranty and the return of the vehicle to the lessor. The lessee may not be liable to the manufacturer or motor vehicle lessor for any further costs or charges under the lease agreement.