

MAINE STATE LEGISLATURE

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STATE OF MAINE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON
BUSINESS LEGISLATION
BILL SUMMARY



JUNE 1987

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JOINT STANDING COMMITTEE
BILL SUMMARIES
JUNE 1987

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The summaries are arranged by LD number under each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor if it is a floor amendment or the designation "COMMITTEE" if it is a committee amendment.

Final action for each bill is listed to the right of the title. If final House action and Senate action differ, both are listed.

Please let us know if you would prefer a different format or additional information and if the summaries are helpful.

Key to Committee Reports and Floor Action:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-A	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

This bill requires that investigative consumer report information be reported within 10 days of the request.

This new draft addresses the problem of slowness in investigating and, when appropriate, correcting inaccurate information in a credit bureau file. Section 1 of the new draft expedites the process of challenging information by requiring the disclosure to the consumer, by telephone, of the contents of his consumer report and allowing him to challenge certain items at that time. The disclosure may save from a week to 10 days now lost by having this process occur through the mail.

Section 2 imposes a duty on credit bureaus to complete an investigation of disputed information within 10 business days and to immediately notify the consumer of the results of that investigation.

LD
1735

AN ACT TO AMEND THE MAINE LEMON LAWS

PL 1987
c. 359

Sponsor: BRANNIGAN, Cote, Gurney
Committee Report: New Draft of LD 954

SUMMARY: Maine currently has a law relating to the warranty on a new motor vehicle which states that:

1. Dealers must make repairs that conform with the warranty.

2. If the warranty problems are not repaired after 4 attempts or if the car is out of service for 30 days because of these problems and these problems affect the use, safety or value of the car, the purchaser shall be given a new car or a refund.

This bill makes the following additions or changes to the current law:

1. It adds leased vehicles and includes businesses that buy or lease vehicles for the purpose of their business.

2. It states that, if a combination of defects, not just one defect, result in the car being unsafe or affects its value, then the provision of the current law also applies.

3. It gives the purchaser the option as to whether he wishes a new car or a refund or to do nothing.

4. It reduces the number of times that the dealer can attempt to fix the vehicle from 4 to 3 and reduces the days out of service from 30 to 15. Both these are conditions that must be met before the dealer must offer a new vehicle or a refund.

This bill requires the Committee to study the informal dispute settlement requirements of the Maine "Lemon Law".

This new draft accomplishes the following.

1. Current law exempts business vehicles from provisions of the lemon laws. The original bill removed the exemption. This new draft puts it back in.

2. The new draft clarifies the provision of the original bill that a consumer may reject a replacement vehicle and elect a refund.

3. The new draft states that the law shall not affect the obligation of the purchaser to anyone from whom he has secured a loan to enable him to purchase the vehicle. It states that the person making the loan must accept a comparable value replacement vehicle as security for the loan.

4. The new draft gives the manufacturer one final opportunity to repair the vehicle.

5. The new draft eliminates the legislative study of the arbitration provisions of the lemon laws. The Department of the Attorney General has indicated that it can perform this study and report the results to the committee. It indicates that no funding will be necessary.

LD	RESOLVE, TO AUTHORIZE EXTENDING THE ISSUANCE OF	RESOLVE 1987
1801	CERTIFICATES OF GOOD STANDING TO SEPTEMBER 1,	c. 35
	1987	EMERGENCY

Sponsor: ALLEN, Baldacci
Committee Report: NOT REFD TO COMTE

SUMMARY: For profit corporations are required to submit an annual report and non profit corporation a biennial report to the Secretary of State by June 1.

It is the practice of the Secretary of State to issue upon request certificates of good standing based on the receipt of these required reports.

The only mention in the law of such certificates is in 5 MRSA §86 which indicates the fees to be changed for certification from the Secretary of State, without mentioning any specific certificate by name.