

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

Sec. 1. 10 MRSA §1487, sub-§8, as enacted by PL 1987, c. 574, is amended to read:

8. Resolution of disputes. A statement allowing the parties the option to adopt one of 3 methods of resolving contract disputes in addition to the option of a small claims action. At a minimum, this statement must provide the following information:

"If a dispute arises concerning the provisions of this contract or the performance by the parties that may not be resolved through a small claims action, then the parties agree to settle this dispute by jointly paying for one of the following (check only one):

- (1) Binding arbitration ~~as regulated by~~ under the Maine Uniform Arbitration Act, ~~with in which~~ the parties ~~agreeing~~ agree to accept as final the arbitrator's decision ();
- (2) Nonbinding arbitration, with the parties free to ~~not accept~~ reject the arbitrator's decision and to seek ~~satisfaction~~ a solution through other means, including a lawsuit (); or
- (3) Mediation, ~~with in which~~ the parties ~~agreeing to enter into good faith negotiations~~ negotiate through a neutral mediator in ~~order to attempt~~ an effort to resolve their differences in advance of filing a lawsuit ()";

SUMMARY

This amendment replaces the bill. It changes the home construction contract laws to notify the parties of the option of resolving any smaller disputes in small claims court prior to engaging in mediation or arbitration.