

# MAINE STATE LEGISLATURE

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# 123rd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2007

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**Legislative Document**

**No. 121**

H.P. 113

House of Representatives, January 9, 2007

### **An Act To Strengthen the Home Construction Contract Laws**

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Reference to the Committee on Business, Research and Economic Development suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative CRAVEN of Lewiston.  
Cosponsored by Senator ROTUNDO of Androscoggin and  
Representatives: HASKELL of Portland, MAKAS of Lewiston, SAMSON of Auburn,  
SIMPSON of Auburn, SMITH of Monmouth, TREAT of Farmingdale, WAGNER of  
Lewiston, WALCOTT of Lewiston.

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

2 **Sec. 1. 10 MRSA §1487-A** is enacted to read:

3 **§1487-A. Bond**

4 A contractor who enters into a contract under this chapter must post a bond of  
5 \$10,000 to ensure compliance with this chapter.

6 **Sec. 2. 10 MRSA §1490, sub-§3** is enacted to read:

7 **3. Court costs and attorney's fees.** A judgment against a contractor for a violation  
8 of the contract executed pursuant to this chapter must include court costs and reasonable  
9 attorney's fees.

10 **Sec. 3. 10 MRSA §1490-A** is enacted to read:

11 **§1490-A. Resolution of disputes**

12 Upon complaint from a party to a contract executed pursuant to this chapter, the  
13 Attorney General shall enforce the alternative dispute resolution terms agreed to by the  
14 parties pursuant to section 1487, subsection 8.

15 **SUMMARY**

16 This bill amends the laws relating to construction contracts by:

17 1. Directing the Attorney General to enforce the provision of the contract requiring  
18 the contractor to submit to dispute resolution;

19 2. Requiring a contractor that is subject to the construction contract provisions to  
20 post a \$10,000 bond to ensure the contract's warranty provision; and

21 3. Requiring a judgment against a contractor for a violation of a contract to include  
22 court costs and reasonable attorney's fees.