

MAINE STATE LEGISLATURE

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ACTS, RESOLVES AND CONSTITUTIONAL RESOLUTIONS

AS PASSED BY THE

One Hundred and Sixth Legislature

OF THE

STATE OF MAINE

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THE KNOWLTON AND McLEARY COMPANY
FARMINGTON, MAINE
1973

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Sixth Legislature

1973

an application, license, certificate or any other type of permit. Such written record or a copy thereof shall be kept by the agency and made available to any interested member of the public who may wish to review it.

2. Denial. Whenever an agency denies approval of an application submitted to it, or denies a license, certificate or any other type of permit, or issues its approval or grants such license, certificate or any other type of permit upon conditions not otherwise specifically required by the statute, ordinance or regulation pursuant to which the approval or granting is issued, the agency shall set forth the reason or reasons for its decision and make findings of fact, in writing, sufficient to apprise the applicant and any interested member of the public of the basis for such decision.

3. Approval or issuance. Whenever an agency approves an application submitted to it, or grants a license, certificate or any other type of permit, without conditions, other than those specifically required by the statute, ordinance or regulation pursuant to which the approval or grant is issued, and such approval or issuance is discretionary in nature, the agency shall set forth, in writing, its findings that the applicant has met each of the criteria of the statute, ordinance or regulation pursuant to which the approval or grant is issued.

Effective October 3, 1973

CHAPTER 434

AN ACT Relating to Criminal Contempt for Failure to Pay Alimony and Support of Children.

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

Sec. 1. R. S., T. 19, § 722, amended. The 4th, 5th and 6th sentences of section 722 of Title 19 of the Revised Statutes, as amended by section 5 of chapter 408 of the public laws of 1971, are repealed and the following enacted in place thereof:

At the time of making a final decree in any divorce action, the court may order that execution and such reasonable attorney's fee as the court shall order shall issue against any party to the action charged with the payment of support of minor children or payments of alimony or a specific sum in lieu thereof, upon default of any payment, the court shall enforce said payment by criminal contempt and order that the clerk of said court shall issue execution in sum due. When the husband or father is committed to jail, having been found in criminal contempt of any payment due upon decree of alimony, or for payment of money instead thereof, or for the support of his minor children, or for support pending the divorce action, or for payment of counsel fees, the county having jurisdiction of the process shall bear the expense of his support and commitment. The court, upon finding a husband, ex-husband or father in contempt of its order shall impose the following sentences: For the first offense, up to 10-day commitment to the county jail; for the 2nd offense, up to 30-day commitment to the county jail and for any subsequent offense, up to 90-day commitment to the county jail. Failure to pay any payment ordered for the support of minor children or

payments of alimony or reasonable attorney's fees by the husband, ex-husband or father, shall be deemed a criminal contempt if said husband, ex-husband or father had the ability to pay said payment at the time it was due. He may petition the court issuing such execution for relief, whereupon a judge of such court, after due notice to the wife or mother, and hearing thereon, may order his discharge from imprisonment on such terms and conditions as justice may require. Counsel fees awarded in the nature of support to the wife may be made payable forthwith, or in weekly or monthly installments all as the judge may see fit in the premises.

Effective October 3, 1973

CHAPTER 435

AN ACT Relating to a Minimum Warranty Standard for Mobile Homes.

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

R. S., T. 10, c. 213, additional. Title 10 of the Revised Statutes is amended by adding a new chapter 213 to read as follows:

CHAPTER 213

MOBILE HOME WARRANTIES

§ 1401. Necessity of warranty

After the effective date of this chapter, all new mobile homes sold by a mobile home dealer situated in the State of Maine shall be covered by the warranty set forth in this chapter.

§ 1402. Definitions

As used in this chapter, unless the context otherwise indicates, the following words shall have the following meanings.

1. Dealer. "Dealer" shall include any person, corporation, association or any other legal entity who customarily sells mobile homes to consumers.

2. Mobile home. "Mobile home" shall include any structure built upon a frame or chassis in order to render the structure readily moveable as a unit or units on its own running gear and designed to be used as a year-round dwelling unit with or without a permanent foundation.

§ 1403. Application

The warranty provided for in this chapter shall apply to the manufacturer of the mobile home, as well as to the dealer who sells the mobile home to the buyer.

§ 1404. Written warranty; contents