

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

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

The mobile home warranty from the manufacturer or dealer to the buyer shall be set forth in writing and shall contain the following terms:

1. Defects. That the mobile home is free from any substantial defects in materials or workmanship;

2. Corrective action. That the manufacturer or dealer or both shall take appropriate corrective action at the site of the mobile home in instances of substantial defects in materials or workmanship, which become evident within one year from the date of the delivery of the mobile home to the consumer, provided the consumer or his transferee gives written notice of such defects to the manufacturer or dealer at their business address not later than one year and 10 days after date of delivery.

§ 1405. Cumulative remedies; prohibition against waiver

The warranty under this chapter shall be in addition to and not in derogation of all other rights and privileges which such consumer may have under any other law or instrument. The manufacturer or dealer shall not require the buyer to waive his rights under this chapter and any such waiver shall be deemed contrary to public policy and shall be unenforceable and void.

§ 1406. Violation as unfair trade practice

Any violation of this chapter shall constitute a violation of Title 5, chapter 10, Unfair Trade Practices Act.

Effective October 3, 1973

CHAPTER 436

AN ACT Relating to Certain Disclosures in the Solicitation of Charitable Contributions.

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

Sec. 1. R. S., T. 22, § 3151, sub-§ 4, amended. The last sentence of subsection 4 of section 3151 of Title 22 of the Revised Statutes is amended to read as follows:

A bona fide officer or employee of a charitable organization shall not be deemed a professional fund raiser unless his salary or other compensation is computed on the basis of funds to be raised or actually raised.

Sec. 2. R. S., T. 22, § 3152, amended. The first sentence of section 3152 of Title 22 of the Revised Statutes is amended to read as follows:

No professional fund raiser and no professional solicitor shall solicit funds for charitable or benevolent purposes ~~outside of the municipalities where such persons reside or where such firm, corporation or association has its place of business~~ without having in full force a written license therefor from the department.