

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

Published by the Director of Legislative Research in accordance with the Revised Statutes of 1964, Title 3, Section 164, Subsection 6.

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

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.

Sec. 3. R. S., T. 22, § 3155, additional. Title 22 of the Revised Statutes is amended by adding a new section 3155 to read as follows:

§ 3155. Charitable solicitation disclosure

It shall be a violation of this chapter for a professional solicitor or professional fund raiser to solicit funds for a charitable purpose from a prospective donor in the State of Maine without fully disclosing to the prospective donor the estimated cost of the solicitation, where less than 70% of the amount donated will be expended for the specific charitable purpose.

The term "cost of solicitation" shall include the salaries and operating expenses incurred in the solicitation of the funds for the charitable organization or purpose.

Sec. 4. R. S., T. 22, § 3156, additional. Title 22 of the Revised Statutes is amended by adding a new section 3156 to read as follows:

§ 3156. Violation as unfair trade practice

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

Effective October 3, 1973

CHAPTER 437

AN ACT Relating to Motorcycle Operators' Licenses.

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

R. S., T. 29, § 583, amended. Section 583 of Title 29 of the Revised Statutes, as amended by section 18 of chapter 425 of the public laws of 1967, is further amended by adding after the 2nd paragraph a new paragraph to read as follows:

After September 1, 1975 no motorcycle or motor driven cycle learner's permit or operator's license, or both, shall be issued to any person under 17 years of age, unless such person shall present a certificate of successful completion of a motorcycle driver education course and examination given by some person or persons licensed by the Secretary of State.

Effective October 3, 1973

CHAPTER 438

AN ACT Adopting Emission Regulations of the Department of Environmental Protection.

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

Sec. 1. R. S., T. 38, § 582, sub-§ 5-A, additional. Section 582 of Title 38 of the Revised Statutes, as enacted by section 1 of chapter 474 of the public