

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST REGULAR SESSION

December 7, 1988 to July 1, 1989

Chapters 1 - 502

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
SEPTEMBER 30, 1989

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1989

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND FOURTEENTH LEGISLATURE

1989

Sec. 1. 10 MRSA §1486, sub-§§4 and 5, as enacted by PL 1987, c. 574, are amended to read:

4. Home construction contract. "Home construction contract" means a contract to build, remodel or repair a residence, including not only structural work but also electrical, plumbing and heating work; carpeting; window replacements; and other nonstructural work.

5. Residence. "Residence" means a dwelling ~~struc-
ture~~ with 3 or ~~less~~ fewer living units and garages, if any. Buildings used for commercial or business purposes are not subject to this chapter.

Sec. 2. 10 MRSA §1487, sub-§§7 and 9, as enacted by PL 1987, c. 574, are amended to read:

7. Warranty. A warranty statement which reads:

"In addition to any additional warranties agreed to by the parties, the contractor warrants that the work will be free from faulty materials; constructed according to the standards of the building code applicable for this location; constructed in a skillful manner and fit for habitation or appropriate use. The warranty rights and remedies set forth in the Maine Uniform ~~Commercial~~ Commercial Code apply to this contract";

9. Change orders. A change order statement which reads:

"Any alteration or deviation from the above contractual specifications that ~~involve extra cost~~ results in a revision of the contract price will be executed only upon the parties entering into a written change order";

See title page for effective date.

CHAPTER 249

H.P. 284 - L.D. 396

An Act to Require Mandatory Checking of Motorists' Maintenance of Financial Responsibility

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

29 MRSA §780, sub-§2, as amended by PL 1987, c. 789, §16, is further amended to read:

2. Evidence of insurance or financial responsibility. ~~Every~~ When a law enforcement officer stops an operator or owner of a motor vehicle, trailer or semitrailer registered in this State ~~shall~~ for a moving violation or the operator is involved in an accident which must be reported under section 891, the officer shall request that the operator present evidence of motor vehicle liability insurance or financial respon-

~~sibility upon the request of a law enforcement officer if the operator is stopped for a moving violation or is involved in an accident which shall be reported under section 891.~~

See title page for effective date.

CHAPTER 250

H.P. 476 - L.D. 656

An Act to Promote Equity in the Court Adjudication of Alimony Awards

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

Sec. 1. 19 MRSA §721, as amended by PL 1979, c. 424, §§1 and 2, is repealed and the following enacted in its place:

§721. Alimony

1. Factors. The court shall consider the following factors when determining an award of alimony:

- A. The length of the marriage;
- B. The ability of each party to pay;
- C. The age of each party;
- D. The employment history and employment potential of each party;
- E. The income history and income potential of each party;
- F. The education and training of each party;
- G. The provisions for retirement and health insurance benefits of each party;
- H. The tax consequences of the division of marital property, including the tax consequences of the sale of the marital home, if applicable;
- I. The health and disabilities of each party;
- J. The tax consequences of an alimony award;
- K. The contributions of either party as homemaker;
- L. The contributions of either party to the education or earning potential of the other party;
- M. Economic misconduct by either party resulting in the diminution of marital property or income;
- N. The standard of living of the parties during the marriage; and