MAINE STATE LEGISLATURE

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LAWS

OF THE

STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FOURTEENTH LEGISLATURE

FIRST SPECIAL SESSION

August 21, 1989 to August 22, 1989

and

SECOND REGULAR SESSION

January 3, 1990 to April 14, 1990

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
July 14, 1990

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
1990

PUBLIC LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE

SECOND REGULAR SESSION

of the

ONE HUNDRED AND FOURTEENTH LEGISLATURE

January 3, 1990 to April 14, 1990

Whereas, these individuals do not have the ability to go home or to another location in order to smoke; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

22 MRSA §1580-B, sub-§4 is enacted to read:

4. Smoking in state mental health institutes. Residents of a state mental health institute may smoke in a designated smoking area. The designated smoking area must be enclosed and adequately ventilated. State mental health institutes shall design and implement smoking cessation programs for residents. Smoking by employees at state mental health institutes is governed by section 1580-A.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective March 23, 1990.

CHAPTER 716

H.P. 1624 - L.D. 2246

An Act to Ensure the Effective Use of Grants in the Office of the State Archivist

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

5 MRSA §94, as enacted by PL 1973, c. 625, §16, is amended to read:

§94. Maine State Archives

The office of the State Archivist ~~shall be~~ is a bureau within the Department of the Secretary of State and ~~shall be organized in the manner~~ consists of at least 2 organizational units as the State Archivist and the Secretary of State ~~shall deem~~ determine best suited to the accomplishment of the functions and purposes of this chapter. One organizational unit consists of the State Archivist and immediate support staff. ~~It shall be~~ The office is known as the Maine State Archives. The State Archivist ~~shall be~~ is the official custodian of the archival resources of the State.

See title page for effective date.

CHAPTER 717

H.P. 1582 - L.D. 2191

An Act to Facilitate the Disclosure of the Mobile Home Statutory Warranty

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

Sec. 1. 10 MRSA §1404, first ¶, as repealed and replaced by PL 1973, c. 754, §1, is amended to read:

~~The manufacturer shall provide a written warranty with each new mobile home. The dealer shall countersign the warranty and certify that: To the best of his knowledge,~~ A statutory warranty is hereby established under which both the manufacturer and the dealer certify that to the best of their knowledge, the new mobile home is free from any substantial defects in materials and workmanship. The dealer shall deliver the written warranty to the buyer at the time of sale and the warranty shall contain the following terms:

Sec. 2. 10 MRSA §1404, sub-§5, as enacted by PL 1973, c. 754, §2, is amended to read:

5. Responsibility. That while the manufacturers of any or all appliances may also issue their own warranties, the primary responsibility for appropriate corrective action under the warranty rests with the dealer and manufacturer, and the consumer should report all complaints to the dealer and manufacturer initially.; and

Sec. 3. 10 MRSA §1404, sub-§6 is enacted to read:

6. Warranty supplemental. That this statutory warranty is in addition to any express warranty provided by the manufacturer or dealer and any warranty created by state or federal law, including the implied warranties of merchantability and fitness for a specific purpose. The Manufactured Housing Board, in consultation with the Department of the Attorney General, shall prepare a written warranty form that contains the terms of subsections 1 to 5 and shall ensure that this warranty form is distributed to all dealers and manufacturers doing business in this State.

See title page for effective date.

CHAPTER 718

H.P. 1250 - L.D. 1748

An Act to Amend the Procedure for Approval of the Lincoln County Budget

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