

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 electronic originals
(may include minor formatting differences from printed original)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE

FIRST REGULAR SESSION
December 1, 2004 to March 30, 2005

FIRST SPECIAL SESSION
April 4, 2005 to June 18, 2005

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2005

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 17, 2005

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

Penmor Lithographers
Lewiston, Maine
2005

determines the defect occurred in other similar manufactured housing, the board shall notify all ascertainable purchasers of the housing, in accordance with the records obtained from the manufacturer and dealer of their possible right of action under this subchapter. Failure of the manufacturer ~~or~~ dealer or developer dealer to retain reasonable business records; or to provide access to those records in response to a request by the board pursuant to this subchapter, ~~shall be considered~~ is a violation of this chapter.

Sec. 22. 10 MRSA §9047, sub-§1, ¶A, as amended by PL 1993, c. 642, §28, is further amended to read:

A. Notification by mail to the first purchaser of the manufactured housing, other than a dealer or developer dealer of the manufacturer, and to any subsequent purchaser whose identity the manufacturer knows;

Sec. 23. 10 MRSA §9047, sub-§1, ¶B, as enacted by PL 1981, c. 152, §14, is amended to read:

B. Notification by mail or some expeditious means to the ~~dealer or dealers~~ and developer dealers of the manufacturer to whom the manufactured housing was delivered; and

Sec. 24. 10 MRSA §9051, sub-§3, as enacted by PL 1993, c. 642, §30, is amended to read:

3. Notice for purposes of limitation of actions. If a consumer files a written complaint with the manufacturer, dealer, developer dealer, installer, mechanic or board within one year and 10 days after installation of new manufactured housing, receipt of the written complaint by the manufacturer, dealer, developer dealer, installer, mechanic or board tolls the statute of limitations for purposes of bringing an action to enforce any applicable warranty concerning the defect that is the subject of the written complaint.

See title page for effective date.

CHAPTER 345

H.P. 403 - L.D. 548

An Act To Enhance the Prosecution of Child Pornography Cases

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

Sec. 1. 17-A MRSA §284, sub-§1, ¶A, as enacted by PL 2003, c. 711, Pt. B, §12, is amended to read:

A. Intentionally or knowingly transports, exhibits, purchases or possesses any book, magazine, newspaper, print, negative, slide, motion picture, computer data file, videotape or other mechanically, electronically or chemically reproduced visual image or material that the person knows or should know depicts another person engaging in sexually explicit conduct, and:

- (1) The other person has not in fact attained ~~14~~ 16 years of age; or
- (2) The person knows or has reason to know that the other person has not attained ~~14~~ 16 years of age;

Violation of this paragraph is a Class D crime;

Sec. 2. 17-A MRSA §284, sub-§§3 and 4, as enacted by PL 2003, c. 711, Pt. B, §12, are amended to read:

3. The age of the person depicted and that the person depicted is an actual person may be reasonably inferred from the depiction. Competent medical evidence or other expert testimony may be used to establish the age and authenticity of the person depicted.

4. Any material that depicts a person who has not attained ~~14~~ 16 years of age engaging in sexually explicit conduct is declared to be contraband and may be seized by the State.

See title page for effective date.

CHAPTER 346

H.P. 652 - L.D. 933

An Act To Amend the Maine Life and Health Insurance Guaranty Association Act

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

Sec. 1. 24-A MRSA §§4601 and 4602, as enacted by PL 1983, c. 846, are amended to read:

§4601. Short title

This chapter ~~shall~~ may be known and cited as the Maine Life and Health Insurance Guaranty Association Act.

§4602. Purpose

The purpose of this chapter, subject to certain limitations, is to maintain public confidence in the promises of insurers by providing a mechanism for