

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by striking out the title and substituting the following:

**'An Act To Amend the Laws Governing Home Construction
Contracts To Increase Consumer Awareness'**

Further amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'**Sec. 1. 10 MRSA §1487, sub-§11**, as amended by PL 1989, c. 193, §1, is further amended to read:

11. Residential insulation. If the construction includes installation of insulation in an existing residence, any disclosures required by chapter 219, Insulation Contractors; and

Sec. 2. 10 MRSA §1487, sub-§12, as enacted by PL 1989, c. 193, §2, is amended to read:

12. Energy standards. A statement by the contractor that chapter 214 establishes minimum energy efficiency building standards for new residential construction, and whether the new building or an addition to an existing building will meet or exceed those standards;:

Sec. 3. 10 MRSA §1487, sub-§13 is enacted to read:

13. Consumer protection information. As an addendum to the contract, a copy of the Attorney General's consumer protection information on home construction and repair, which includes information on contractors successfully sued by the State, as provided on the Attorney General's publicly accessible website; and

Sec. 4. 10 MRSA §1487, sub-§14 is enacted to read:

14. Attorney General's publicly accessible website. A clear and conspicuous notice that states that consumers are strongly advised to visit the Attorney General's publicly accessible website to gather current information on how to enforce their rights when constructing or repairing their homes, as well as the Attorney General's publicly accessible website address and telephone number.

Sec. 5. Review. The Attorney General and the Criminal Law Advisory Commission, pursuant to the Maine Revised Statutes, Title 17-A, section 1351, shall review the provisions of the Maine Criminal Code that are available to prosecute home building and improvement contractors that engage in deceptive and fraudulent business practices and determine whether any changes in the criminal code are appropriate. The Attorney General and the Criminal Law Advisory Commission shall submit any proposed changes to the criminal code to the joint standing committee of the Legislature having jurisdiction over business, research and economic development matters as well as the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters by February 1, 2007.

Sec. 6. Effective date. Those sections of this Act that amend the Maine Revised Statutes, Title 10, section 1487, subsections 11 and 12 and enact subsections 13 and 14 take effect September 1, 2006.'

SUMMARY

This amendment replaces the bill. It requires that home construction contracts include as an addendum consumer protection information on home construction and repair as it is provided on the Attorney General's publicly accessible website as well as a clear and conspicuous notice that states consumers are strongly advised to visit the Attorney General's publicly accessible website to gather information on how to enforce their rights when constructing or repairing their home.

This amendment also requires the Attorney General and the Criminal Law Advisory Commission to review provisions in the Maine Criminal Code that are available to prosecute home building and improvement contractors that engage in deceptive and fraudulent business practices and determine whether any changes in the criminal code are appropriate. It requires that any proposed changes to the code be submitted to the joint standing committee of the Legislature having jurisdiction over business, research and economic development matters as well as the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters by February 1, 2007.