

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 440

H. P. 331

House of Representatives, January 28, 1969

Referred to Committee on Judiciary. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Fortier of Waterville, By request.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-NINE

**AN ACT Prohibiting the Acceptance of Payment for Material Supplied When
Title Not Merchantable or Check in Full.**

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

R. S., T. 17, § 3965, additional. Title 17 of the Revised Statutes is amended by adding a new section 3965, to read as follows:

§ 3965. Acceptance of payment without title; check in full

Whoever furnishes, provides or in any manner supplies material of any nature for use in erecting, altering, moving or repairing a house, building or appurtenances, including the construction, altering or repairing of a wharf or pier, or any building thereon, and accepts payment for labor or materials or any combination of labor and materials from a consumer, and does not have merchantable title to said material shall be punished by imprisonment for not less than 5 years, nor more than 10 years.

Whoever endorses, deposits or cashes a check made out to him and plainly marked in full for all labor and material, or both, shall be liable to the same penalties as those for forgery if such labor or material was not paid for in full.