

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

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**Legislative Document**

**No. 317**

H. P. 235

House of Representatives, January 21, 1971

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

BERTHA W. JOHNSON, Clerk

Presented by Mr. Carey of Waterville.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-ONE

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**AN ACT Relating to the Design of Buildings by Architects and Engineers.**

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

**Sec. 1. R. S., T. 32, § 105, additional.** Title 32 of the Revised Statutes is amended by adding a new section 105 to read as follows:

**§ 105. Design of buildings**

The state registration laws for architects and engineers are predicated upon and justified only as a means to protect the public health, safety and welfare. They are not intended to be used as a means to enhance the standing of one profession over another. The 2 professions must accept the basic premise that in the design of buildings it is not possible to define and delineate the functions of architects and engineers in such a way as to draw a valid line of demarcation between them which could be successfully applied in practice. On projects for the design of buildings, all departments of the State of Maine shall select, without prejudice and on an equal basis, the prime professional who may be either an engineer or an architect. The professional so retained for a project shall perform only those services for which he is competent and shall utilize the services of other qualified professionals as required to provide a proper and complete professional service to the State consistent with applicable law.

**Sec. 2. R. S., T. 32, § 1257, additional.** Title 32 of the Revised Statutes is amended by adding a new section 1257 to read as follows:

**§ 1257. Design of buildings**

The state registration laws for architects and engineers are predicated upon and justified only as a means to protect the public health, safety and welfare.

They are not intended to be used as a means to enhance the standing of one profession over another. The 2 professions must accept the basic premise that in the design of buildings it is not possible to define and delineate the functions of architects and engineers in such a way as to draw a valid line of demarcation between them which could be successfully applied in practice. On projects for the design of buildings, all departments of the State of Maine shall select, without prejudice and on an equal basis, the prime professional who may be either an engineer or an architect. The professional so retained for a project shall perform only those services for which he is competent and shall utilize the services of other qualified professionals as required to provide a proper and complete professional service to the State consistent with applicable law.

#### STATEMENT OF FACT

Recognizing the urban crisis as the paramount domestic issue of the future, and engineering a dominant force for resolving the same, the purpose of this bill is to recognize the legal rights of both architects and engineers in the designing of buildings.