

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 1211

H. P. 891

House of Representatives, February 26, 1971

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

BERTHA W. JOHNSON, Clerk

Presented by Mr. Mills of Eastport.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

AN ACT Relating to Land Surveying by Nonresidents.

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

Sec. 1. R. S., T. 32, § 1661, amended. Section 1661 of Title 32 of the Revised Statutes, as enacted by section 1 of chapter 423 of the public laws of 1967, is amended by adding at the end the following new paragraph:

A person, not a resident of this State, shall not be registered as a land surveyor unless such person is legally qualified by registration to practice the said profession in his state or country of residence in which the requirements and qualifications for obtaining a certificate of registration are not lower than those specified in this chapter and which permit a resident of this State who is a registered land surveyor under this chapter to register and practice land surveying in that state or country.

Sec. 2. R. S., T. 32, § 1665, repealed and replaced. Section 1665 of Title 32 of the Revised Statutes, as enacted by section 1 of chapter 423 of the public laws of 1967, is repealed and the following enacted in place thereof:

§ 1665. Exemptions

The following persons shall be exempt under this chapter:

1. **Certain employees.** Any employee or subordinate of a person holding a certificate of registration under this chapter, provided his practice does not include responsible charge of land surveying;

2. **United States Government employees.** Officers and employees of the Government of the United States while engaged within this State in the practice of land surveying for said government;

3. Interstate commerce corporation employee. An officer or employee of a corporation engaged in interstate commerce as defined in the Act of Congress entitled "An Act to Regulate Commerce" approved February 4, 1887, as amended, or in interstate communication as defined in the Act of Congress entitled "Communications Act of 1934" approved June 9, 1934, while working solely as an employee of such corporation, provided an officer or employee of such corporation customarily in responsible charge of the surveying work of such corporation within this State shall be a registrant under this chapter.

STATEMENT OF FACT

Relative to section 1661, this paragraph prohibits nonresidents from land surveying unless registered in a reciprocal state or country.

Relative to section 1665, the present subsection 1 is deleted and the rest of the section renumbered. The 30-day exemption provided in the present subsection 1 is not appropriate in view of the proposed new paragraph in section 1661, which would register without limitation nonresidents on a reciprocal basis.