

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 scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 21

S. P. 24

In Senate, December 4, 1980

Referred to the Committee on Business Legislation. Sent down for concurrence and ordered printed.

MAY M. ROSS, Secretary of the Senate

Presented by Senator Devoe of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT to Revise the Land Surveyor Laws.

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

Sec. 1. 32 MRSA § 1661, as enacted by PL 1967, c. 423, § 1, is amended to read:

§ 1661. Purpose

It shall be unlawful for any person to ~~offer to practice or offer to practice~~ land surveying in the State, as defined in this chapter, or to use in connection with his name or otherwise assume, use or advertise any title or description tending to convey the impression that he is a land surveyor, unless he has been duly registered as a land surveyor or exempted under this chapter. Admission to practice land surveying shall be determined upon the basis of personal qualifications.

Sec. 2. 32 MRSA § 1663, as amended by PL 1973, c. 625, § 214, is further amended to read:

§ 1663. Other legally recognized professions not affected

This chapter shall not be construed to affect or prevent the practice of any other legally recognized profession ~~nor prevent any person who was duly registered as a professional engineer prior to October 7, 1967 from engaging in the practice of land surveying. Said registered professional engineer shall upon application and~~

~~payment of fee be registered as a land surveyor under this chapter, provided application is made within 2 years after October 7, 1967.~~

Sec. 3. 32 MRSA § 1665, sub-§ 1-A, is enacted to read:

1-A. Nonresident becoming resident. A person not a resident of and having no established place of business in this State, or who has recently become a resident thereof, practicing or offering to practice herein for more than 30 days in any calendar year the profession of land surveying, if he has filed with the board an application for a certificate of registration and has paid the fee required by this chapter. This exemption shall continue only for such time as the board requires for the consideration of the application for registration, provided the person is legally qualified to practice the profession in his own state or county in which the requirements and qualifications for obtaining a certificate of registration are not lower than those specified in this chapter.

Sec. 4. 32 MRSA § 1666, first paragraph, as enacted by PL 1967, c. 423, § 1, is amended to read:

Any person who shall ~~offer to practice or offer to practice~~ land surveying in this State without being registered or exempted in accordance with this chapter, or any person presenting or attempting to use as his own the certificate of registration or the seal of another, or any person who shall give any false or forged evidence of any kind to the board or to any member thereof in obtaining a certificate of registration, or any person who shall falsely impersonate any other registrant of like or different name, or any person who shall attempt to use an expired or revoked certificate or registration or any person who shall violate any of the provisions of this chapter as they relate to the practice of land surveying shall be ~~guilty of a misdemeanor and shall be punished by a fine of not more than \$500, or by imprisonment for not more than 3 months, or by both referred to the Attorney General for action in Administrative Court in accordance with section 1688, as amended.~~

Sec. 5. 32 MRSA § 1676, first paragraph, as enacted by PL 1967, c. 423, § 1, is amended to read:

The board shall have the power to make all bylaws and rules, not inconsistent with this chapter, **including the adoption and promulgation of Rules of Professional Conduct for Land Surveyors which are the measure of professional society and** which may be reasonably necessary for the proper performance of its duties and the regulations of the proceedings before it. **Changes to bylaws and rules are subject to public hearing.** The board shall adopt and have an official seal.

Sec. 6. 32 MRSA § 1679, first sentence, as enacted by PL 1967, c. 423, § 1, is amended to read:

Rosters showing the names and places of business of all registered land surveyors, shall be prepared by the secretary of the board during the month of January ~~of each year in each even numbered year.~~

STATEMENT OF FACT

The purpose of this legislation is to remove obsolete provisions and to make minor technical revisions in the land surveyor laws.