

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 573

H.P. 399

House of Representatives, February 12, 1991

Reference to the Committee on Business Legislation suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative KILKELLY of Wiscasset.
Cosponsored by Senator HOLLOWAY of Lincoln.

STATE OF MAINE

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

**An Act to Expand the Availability of Automatic Liens to Certain
Businesses.**

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

4 Sec. 1. 10 MRSA §3951, as amended by PL 1987, c. 63, §1, is
repealed and the following enacted in its place:

6 §3951. Automatic lien

8 1. Lien established. A person, partnership or corporation
10 engaged in one or more of the following activities has a lien on
the item that the activity involves for a reasonable compensation
12 for any labor or materials expended on that item:

14 A. Making, altering, repairing or cleaning any watch,
clock, jewelry, electric motor, major and traffic appliance,
16 small motor not to exceed 20 horsepower, radio, electronic
equipment, musical instrument, furniture, photograph,
18 artwork, sports equipment and photography equipment; and

20 B. Cleaning, repairing or pressing clothes.

22 2. Lien priority. A lien under this section takes
precedence over all other claims and incumbrances.

24 3. Exemption from attachment. The item that is subject to
26 a lien under this section is exempt from attachment or execution
until the lien and the cost of enforcing it are satisfied.

28 Sec. 2. 10 MRSA §3952, as amended by PL 1987, c. 63, §2, is
30 further amended to read:

32 §3952. Sale after 6 months

34 ~~The lien-holder~~ lienholder shall retain ~~such watch, clock,~~
~~jewelry, clothes, electric motor, major and traffic appliance,~~
36 ~~small motor not to exceed 20 horsepower, radio and other~~
~~electronic equipment and musical instrument~~ any item subject to a
38 lien under section 3951 for a period of 6 months, at the
expiration of which time, if ~~such~~ the lien is not satisfied, ~~he~~
40 ~~the lienholder~~ may sell such watch, clock, jewelry, clothes,
~~electric motor, major and traffic appliance, small motor not to~~
42 ~~exceed 20 horsepower, radio and other electronic equipment and~~
~~musical instrument~~ the item at public or private sale, after
44 giving 30 days' notice in writing to the owner, specifying the
amount due, describing the ~~property~~ item to be sold and informing
46 ~~him~~ the owner that the payment of ~~such~~ the amount within 30 days
~~shall entitle him~~ entitles the owner to redeem ~~such property~~ the
48 item. ~~Such~~ The notice may be given by ~~mailing the same~~ mail
addressed to the owner's place of residence if known, or if the
50 owner's place of residence is unknown, a copy of ~~such~~ the notice
may be posted by the holder of ~~such~~ the lien in 2 public places
52 in the town, village or city where the ~~property~~ item is held.

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STATEMENT OF FACT

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6 This bill extends the availability of liens to businesses
engaged in making, altering, repairing or cleaning any furniture,
8 photograph, artwork, sports equipment or photography equipment.

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