

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1509

H.P. 1036

House of Representatives, April 16, 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

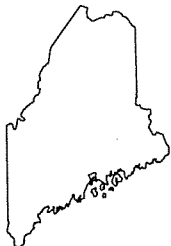
Presented by Representative RICHARDS of Hampden.

Cosponsored by Representative MacBRIDE of Presque Isle, Representative TARDY of Palmyra and Representative COTE of Auburn.

STATE OF MAINE

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

An Act to Include Land Surveyors in the Lien Laws.



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

2
4 10 MRSA §3251, as amended by PL 1971, c. 421, is further amended to read:

6 **§3251. Lien established**

8
10 Whoever performs labor or furnishes labor or materials, including repair parts of machines used, or performs services either as a surveyor, an architect or an engineer or as an owner-renter, owner-lessor, or owner-supplier of equipment used in erecting, altering, moving or repairing a house, building or appurtenances, including any public building erected or owned by 12 any city, town, county, school district or other municipal corporation, or in constructing, altering or repairing a wharf or pier, or any building thereon, including the surveying, clearing, 14 grading, draining, excavating or landscaping of the ground adjacent to and upon which any such above-named objects are 16 constructed, by virtue of a contract with or by consent of the owner, has a lien thereon and on the land on which it stands and on any interest such owner has in the same, to secure payment 18 thereof, with costs. If the owner of the building has no legal interest in the land on which the building is erected or to which 20 it is moved, the lien attaches to the building, and if the owner of the wharf or pier has no legal interest in the land on which 22 the wharf or pier is erected, the lien attaches to the wharf or pier, and in either case may be enforced as provided. If the 24 owner of such land, building, wharf or pier, so contracting, is a minor or married woman, such lien ~~shall exist~~ exists and such 26 minority or coverture ~~shall~~ does not bar a recovery in any proceeding brought to enforce it. 28
30
32

34 **STATEMENT OF FACT**

36 The existing lien laws do not specifically grant land surveyors the same rights as are granted to architects and 38 engineers, leaving surveyors vulnerable to nonpayment for services. This bill provides surveyors with the same statutory 40 protection afforded other service professionals.