

MAINE STATE LEGISLATURE

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JUDICIARY

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STATE OF MAINE
SENATE
119TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 313, L.D. 947, Bill, "An Act to Clarify Certain Liens"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 10 MRSA §3802, as amended by PL 1991, c. 225, is repealed and the following enacted in its place:

§3802. Filing in office of Secretary of State; inaccuracy does not invalidate lien

1. Filing. A lien described in section 3801 is dissolved unless the claimant files the following documents in the office of the Secretary of State within 90 days after providing the labor, storage or materials:

A. A financing statement in the form approved by the Secretary of State; and

B. A notarized statement that includes an accurate description of the property manufactured or repaired; the name of the owner, if known; and the amount due the claimant for the labor, materials or storage, with any amount paid on account.

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2. Fees. The fee for filing a lien under this section is the same as under Title 11, section 9-403, subsection (5).

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3. Inaccuracy. An inaccuracy in the notarized statement does not invalidate the proceedings unless it appears that the claimant willfully overstated the amount due.'

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SUMMARY

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This amendment restructures the section of law relating to filing of mechanics' liens to simplify the language and to clarify what documents must be filed.

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