



119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 947

S.P. 313

In Senate, February 3, 1999

An Act to Clarify Certain Liens.

Submitted by the Secretary of State pursuant to Joint Rule 204. Reference to the Committee on Business and Economic Development suggested and ordered printed.

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JOY J. O'BRIEN Secretary of the Senate

Presented by Senator LaFOUNTAIN of York. Cosponsored by Representative MADORE of Augusta and Representative: SAXL of Bangor.

	Be it enacted by the People of the State of Maine as follows:
2	Sec. 1. 10 MRSA §3802, as amended by PL 1991, c. 225, is
4	further amended to read:
6	§3802. Filing in office of Secretary of State; inaccuracy does not invalidate lien
8	The liens mentioned in section 3801 are dissolved unless the
10	claimant within 90 days after the labor is performed, or storage furnished, files in the office of the Secretary of State a true
12	notarized statement of the amount due the claimant for the labor and materials or for storage, with all just credits given,
14	together with a description of the vehicle manufactured or repaired sufficiently accurate to identify it and the name of the
16	owner, if known, - which - must - be - subscribed - and - sworn - to - by - the person - claiming - the - lien - or - by - someone - in - that - person's - behalf,
18	and - recorded -by - the - Secretary - of - State, - who - is - entitled - to - the same - fees - therefor - as - for - filing, - indexing - and -furnishing - filing
20	data-for-an-original-financing-statement-under-Title-11r-section 9-403rsubsection(5). The notarized statement must be filed
22	with an original financing statement in the form approved by the Secretary of State. The fee for filing such statement of lien
24	with the Secretary of State is the same as provided in Title 11, section 9-403, subsection (5) for an original financing
26	statement. No An inaccuracy in the statement relating to the property, if the same can be reasonably recognized, or in stating
28	the amount due for labor or materials, or for storage, invalidates does not invalidate the proceedings unless it appears
30	that the person making it willfully claims more than that person's due.
32	person b due.
34	SUMMARY
36	This bill clarifies the mechanic lien law by stating that
38	the financing statement must be notarized and be submitted with a form approved by the Secretary of State.

Page 1-LR1099(1)