

MAINE STATE LEGISLATURE

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125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 335

H.P. 268

House of Representatives, February 7, 2011

An Act To Allow Foresters, Soil Scientists and Geologists To Use Mechanics Liens

Reference to the Committee on Labor, Commerce, Research and Economic Development suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Clerk

Presented by Representative FLOOD of Winthrop.
Cosponsored by Representative: KESCHL of Belgrade, Senators: KATZ of Kennebec, ROSEN of Hancock.

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

2 **Sec. 1. 10 MRSA §3251**, as amended by PL 1997, c. 264, §1, is further amended
3 to read:

4 **§3251. Lien established**

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

23 **SUMMARY**

24 This bill adds foresters, soil scientists and geologists to the list of people who can
25 place a lien on the property of another for nonpayment of services.