

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

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

‘**Sec. 1. 14 MRSA §752-D**, as enacted by PL 1993, c. 161, §1, is amended to read:

§ 752-D. Land surveyors

All civil actions for professional negligence against a professional land surveyor~~surveyor~~ duly licensed or registered under Title 32 must be commenced within 4 years after the negligence is discovered, but an action may not be commenced more than 2010 years after the completion of the plan~~contract~~ for services or the completion of the professional services provided if a plan is not prepared~~contract for services is not involved~~.

Sec. 2. Application. This Act applies to:

1. All actions for professional negligence for which a contract for services is completed on or after the effective date of this Act; and
2. All actions for professional negligence for which the services provided are completed on or after the effective date of this Act if a contract for services is not involved.’

SUMMARY

This amendment deletes the reference to malpractice, leaving the civil actions appropriately referred to as "civil actions for professional negligence." This amendment also deletes the provision that allows the statute of limitations applicable to professional land surveyors to be revised by a contract.

This amendment includes an application section to clarify that the statute of limitations applicable to an action is the statute of limitation that is in effect when a contract is completed or, if no contract, when the work is completed.

FISCAL NOTE REQUIRED
(See attached)