

Original sponsor: Urion

Offered: 4/21/77
Referred: Rules

1 IN THE HOUSE

BY THE COMMERCE COMMITTEE

2 CS FOR HOUSE BILL NO. 282

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to mechanics' and materialmen's liens;
7 and providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 34.35.060(c) is amended to read:

10 (c) A lien created by secs. 50 - 120 of this chapter in favor of
11 a person actually performing labor upon [OR FURNISHING MATERIAL USED IN]
12 a building or other improvement in its original construction and who is
13 not a "contractor" as defined in AS 08.18.171 is preferred to a prior
14 lien, mortgage, or other encumbrance upon the land on which the building
15 or other improvement is constructed.

16 * Sec. 2. AS 34.35 is amended by adding a new section to read:

17 Sec. 34.35.062. WAIVER OR VOLUNTARY SUBORDINATION OF LIEN. Not-
18 withstanding sec. 495 of this chapter, a person in whose favor a lien is
19 created by secs. 50 - 120 of this chapter may agree to waive his right
20 to acquire the lien or may agree to subordinate the lien to other liens,
21 mortgages, or encumbrances, but only by a written instrument signed by
22 him.

23 * Sec. 3. This Act is inapplicable to any lien which attaches before the
24 effective date of this Act.

25 * Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-
26 070(c).