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JUDICIARY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
125TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 727, L.D. 983, Bill, “An Act To Amend the Maine Limited Liability Company Act”

Amend the bill in Part A by inserting after section 26 the following:

Sec. A-27. 31 MRSA §1678, sub-§2, as enacted by PL 2009, c. 629, Pt. A, §2 and affected by §3, is repealed.

Sec. A-28. 31 MRSA §1678, sub-§3 is enacted to read:

3. Unsworn falsification. The execution of a certificate or articles containing one or more false statements constitutes unsworn falsification under Title 17-A, section 453.

Amend the bill in Part B in section 8 in subsection 1 by striking out all of paragraph E (page 12, lines 13 and 14 in L.D.) and inserting the following:

'E. The name and address of at least one or more individuals designated as a contact person for who is a member, manager or other authorized person of the limited liability company.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment makes 2 changes.

It clarifies the language concerning making false statements on documents executed and filed with the office of the Secretary of State to identify that such an act is the crime of unsworn falsification, which is consistent with the current limited liability company laws and the current limited liability partnership laws.

This amendment also requires the minimum disclosure on the annual report of one person who can accept service of process on the entity when the agent has resigned without providing a new service of process contact, or when the agent cannot be located.

COMMITTEE AMENDMENT

- 1 Providing the name and address of a member, manager or other authorized person to
- 2 accept service of process is consistent with the Model Registered Agents Act.