

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 3, 2008 to June 13, 2009**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 12, 2009**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**Augusta, Maine**  
**2009**

Sec. 7. 14 MRSA §7302 is repealed and the following enacted in its place:

**§7302. Venue**

Except as provided in section 509 and in Title 4, section 155, subsection 3-A, an action for replevin may be brought in either District Court or Superior Court in the county or division where a plaintiff or defendant resides or where any of the personal property sought to be replevied is located.

Sec. 8. 32 MRSA §11013, sub-§3, ¶N, as enacted by PL 1985, c. 702, §2, is repealed and the following enacted in its place:

N. Threatening to bring legal action in the debt collector's own name or instituting a suit on behalf of others or furnishing legal advice, except that a debt collector who is also an attorney may bring an action under this paragraph in the name of the creditor in any division or county permitted by 15 United States Code, Section 1692i and may furnish legal advice to the creditor with respect to a debt.

See title page for effective date.

**CHAPTER 246**

**H.P. 528 - L.D. 777**

**An Act To Provide for an  
Expiration Date for Certain  
Harassment Notices**

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

Sec. 1. 17-A MRSA §506-A, sub-§1, ¶A, as enacted by PL 2001, c. 383, §66 and affected by §156, is amended to read:

A. The person engages in any course of conduct with the intent to harass, torment or threaten another person ~~after having been forbidden to do so by any sheriff, deputy sheriff, constable, police officer or justice of the peace or by a court in a protective order issued under Title 5, section 4654 or 4655 or Title 19-A, section 4006 or 4007 or, if the person is an adult in the custody or under the supervision of the Department of Corrections, after having been forbidden to engage in such conduct by the Commissioner of Corrections, the chief administrative officer of the facility, the correctional administrator for the region or their designees.~~ Violation of this paragraph is a Class E crime; or:

(1) After having been notified, in writing or otherwise, not to engage in such conduct by:

(a) Any sheriff, deputy sheriff, constable, police officer or justice of the peace. The notification not to engage in such conduct expires one year from the date of issuance; or

(b) A court in a protective order issued under Title 5, section 4654 or 4655 or Title 19-A, section 4006 or 4007; or

(2) If the person is an adult in the custody or under the supervision of the Department of Corrections, after having been forbidden to engage in such conduct by the Commissioner of Corrections, the chief administrative officer of the facility, the correctional administrator for the region or their designees.

Violation of this paragraph is a Class E crime; or

See title page for effective date.

**CHAPTER 247**

**H.P. 673 - L.D. 971**

**An Act To Amend the Laws  
Governing Liquor Liability  
and Licensing**

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

Sec. 1. 28-A MRSA §2509, sub-§1, as enacted by PL 1987, c. 45, Pt. A, §4, is amended to read:

1. Limitation on damages for losses other than expenses for medical care and treatment. In actions for damages permitted by this Act, the claim for and award of damages for all losses, except expenses for medical care and treatment, including devices or aids, against both a server and the server's employees and agents, may not exceed ~~\$250,000~~ \$350,000 for any and all claims arising out of a single accident or occurrence.

See title page for effective date.

**CHAPTER 248**

**H.P. 944 - L.D. 1343**

**An Act To Promote Consumer  
Fairness in Tax Refund  
Anticipation Loans**

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

Sec. 1. 9-A MRSA §8-106, sub-§6, as enacted by PL 1991, c. 330, §2, is amended to read: