# MAINE STATE LEGISLATURE

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# LAWS

## OF THE

# STATE OF MAINE

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE**

**SECOND REGULAR SESSION**
**January 6, 2010 to April 12, 2010**

**THE GENERAL EFFECTIVE DATE FOR**
**SECOND REGULAR SESSION**
**NON-EMERGENCY LAWS IS**
**JULY 12, 2010**

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

**Augusta, Maine**
**2010**

## CHAPTER 497

## H.P. 1146 - L.D. 1618

### An Act To Amend the Loan Originator Registration Laws

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

**Sec. 1. 9-A MRSA §13-120,** as enacted by PL 2009, c. 362, Pt. B, §1, is amended to read:

**§13-120. Effective date**

This Article takes effect ~~July 31, 2010~~ January 1, 2011.

See title page for effective date.

## CHAPTER 498

## H.P. 1114 - L.D. 1576

### An Act To Improve the Ability of the Commissioner of Corrections To Respond in Special Situations

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

**Sec. 1. 34-A MRSA §3013** is enacted to read:

**§3013. Special response teams**

The commissioner may establish ongoing special response teams consisting of personnel from more than one facility or division of the department to assist, as determined by the commissioner, in responding to special situations anywhere in the department.

See title page for effective date.

## CHAPTER 499

## S.P. 597 - L.D. 1560

### An Act To Eliminate the 3-trap Limit in the Waters of the State

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

**Sec. 1. 12 MRSA §6439,** as amended by PL 2001, c. 272, §3, is repealed.

**Sec. 2. 12 MRSA §6447, sub-§5,** as amended by PL 1999, c. 187, §3, is further amended to read:

**5. Council authority.** Upon approval in a referendum under subsection 6, a lobster management policy council may propose to the commissioner rules for a zone to place the following limitations on lobster and crab fishing license holders that fish in that zone, ~~provided~~ as long as the proposed limitations are equal to or stricter than the limitations under section 6431-A, ~~6439,~~ 6439-A or 6440:

A. The number of lobster traps fished and the time periods allowed for complying with that number;

B. The number of lobster traps allowed on a trawl; and

C. The time of day when lobster fishing may occur.

**Sec. 3. Effective date.** This Act takes effect January 1, 2011.

Effective January 1, 2011.

## CHAPTER 500

## H.P. 1147 - L.D. 1619

### An Act To Facilitate Uniformity Regarding Exemption from Registration of Certain Securities Offerings

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

**Sec. 1. 32 MRSA §16202, sub-§26,** as enacted by PL 2005, c. 65, Pt. A, §2, is amended to read:

**26. Nonpublic offerings under 4(2).** A security offered in a nonpublic offering under Section 4(2) of the federal Securities Act of 1933, 15 United States Code, Section 77d(2) if, no later than 15 days after the first sale in this State, a notice on "Form D," ~~including the Appendix,~~ as promulgated by the Securities and Exchange Commission, is filed with the administrator together with a consent to service of process complying with section 16611, signed by the issuer, and the payment of a nonrefundable filing fee of $300 for each type or class of security sold. If the Form D includes a consent to service of process, a separate document need not be filed for this purpose, and if the consent to service of process on the Form D is executed in a manner accepted by the Securities and Exchange Commission, it is deemed to comply with the requirement in this section and section 16611, subsection 1 that the consent be signed. An additional nonrefundable late filing fee of $500 must be paid for a filing made between 16 and 30 days after the first sale in this State.

**Sec. 2. 32 MRSA §16302, sub-§3, ¶A,** as enacted by PL 2005, c. 65, Pt. A, §2, is amended to read:

A. A notice on "Form D," ~~including the Appendix,~~ as promulgated by the Securities and Exchange Commission;