

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
117TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT "A " to COMMITTEE AMENDMENT "A" to S.P. 499, L.D. 1358, Bill, "An Act to Authorize the Formation of Limited Liability Partnerships"

Amend the amendment in Part B in section 1 in that part designated "~~§808.~~" by striking out all of subsection 1 and inserting in its place the following:

'1. Secretary of State's authority to revoke. The Secretary of State shall revoke the status of a partnership as a registered limited liability partnership when:

A. The registered limited liability partnership fails to deliver its annual report for filing within the time specified by this chapter or fails to pay fees or penalties as prescribed by this chapter when they become due and payable;

B. The registered limited liability partnership fails to appoint or name a registered agent in this State;

C. The registered limited liability partnership, after change of its registered office or registered agent, fails to file with the Secretary of State a notification of such a change; or

D. A misrepresentation is made of a material fact in an application, report, affidavit or other document required by this chapter.'

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 499,
L.D. 1358

Further amend the amendment in Part B in section 1 in that
part designated "~~§808.~~" in subsection 3 in paragraph B in the
last line (page 14, line 20 in amendment) by inserting after the
following: "~~both;~~" the following: 'or'

Further amend the amendment in Part B in section 1 in that
part designated "~~§808.~~" in subsection 3 in paragraph C in the
last line (page 14, line 22 in amendment) by striking out the
following: "~~misrepresentation; or~~" and inserting in its place
the following: '~~misrepresentation.~~'

Further amend the amendment in Part B in section 1 in that
part designated "~~§808.~~" in subsection 3 by striking out all of
paragraph D (page 14, line 24 in amendment).

STATEMENT OF FACT

This amendment deletes references to the nonexistent
requirement that a limited liability partnership submit a list of
all the partners upon the request of the Secretary of State.
Committee Amendment "A" required that the annual report contain a
list of all the partners, accurate as of the date the report was
filed. This amendment deletes the Secretary of State's authority
to revoke and reinstate the partnership's limited liability
status based on the failure to provide the list of partners.

SPONSORED BY:
(Senator HANLEY)

COUNTY: Oxford