

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1990 to July 10, 1991

Chapters 1 - 590

THE GENERAL EFFECTIVE DATE FOR  
NON-EMERGENCY LAWS IS  
OCTOBER 9, 1991

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

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J.S. McCarthy Company  
Augusta, Maine  
1991

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**PUBLIC LAWS**  
**OF THE**  
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tation to be equipped with seat belts, the operator of ~~the motor vehicle shall have the person or passenger~~ must be properly secured in a seat belt or in a child safety seat that meets the requirements set out in 49 Code of Federal Regulations, Part 571. The failure by the operator of a motor vehicle to ensure that the operator and any passengers are secured by a seat belt or a child safety seat as required by this subsection while the vehicle is being operated is a civil violation punishable as provided in subsection 4.

**Sec. F-2. Effective date.** That section of this Part that amends the Maine Revised Statutes, Title 29, section 1368-C, subsection 1 is effective 90 days after the adjournment of the First Regular Session of the 115th Legislature.

**Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective July 10, 1991, unless otherwise indicated.

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## CHAPTER 549

S.P. 771 - L.D. 1965

### An Act to Authorize the Establishment of a Violations Bureau in the District Court

**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** the District Court, pursuant to the Maine Revised Statutes, Title 4, section 164, subsection 12, paragraph C, is permitted to accept payment of waiver fines by persons in traffic infraction offenses without the filing of a signed waiver form; and

**Whereas,** many waiver fines are being tendered to the District Court in criminal traffic offenses by persons who do not file the required signed waiver forms; and

**Whereas,** the fines tendered in criminal traffic offenses without the signed waiver forms must be returned; and

**Whereas,** the District Court should be permitted to accept payment of waiver fines in criminal traffic offenses without the necessity of the filing of signed waiver forms; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. 4 MRSA §159,** as amended by PL 1983, c. 131, §1, is further amended to read:

**§159. Clerks, clerical assistants; appointment; compensation**

For each division, for the violations bureau and for the office of the Chief Judge, the Chief Judge shall appoint such clerks and deputy clerks as may be necessary. If the business of any division or the violations bureau does not require the full-time service of a clerk, the Chief Judge may appoint a part-time clerk for such division or violations bureau. Whenever the clerk is unable to perform the duties of ~~his~~ that office or so directs, ~~his~~ the deputy shall ~~have~~ has all the power and ~~perform~~ performs all the duties of clerk. Whenever a clerk is absent or temporarily unable to perform ~~his~~ the duties as clerk and there is no deputy clerk authorized or available to exercise the powers and perform the duties of clerk and an existing or immediate session of the court renders it necessary, the Chief Judge may designate a clerk pro tempore who ~~shall have~~ has the same powers and duties of the clerk.

**Sec. 2. 4 MRSA §163, sub-§1,** as amended by PL 1991, c. 132, §2, is further amended to read:

**1. District Court funds.** Except as otherwise provided by law, all fines, forfeitures, surcharges and fees collected in any division of the District Court or by the violations bureau must be paid to the clerk of that District Court, who shall deposit them in a special account in a timely manner. Once each month, the clerk shall remit the sums to the Treasurer of State, who shall credit them to the General Fund. At the same time, the clerk shall remit the sums that have been collected in accordance with section 1057. Funds received by the clerk as bail in criminal cases must be deposited daily in a special account. The clerk shall deposit the funds in an interest-bearing account unless the clerk determines that it is not cost effective to do so. Interest accrued in the account is the property of and accrues to the State. The forfeiture and setoff of bail is governed as otherwise provided by law.

The court shall file a monthly report with the State Auditor itemizing the amount of fines imposed and to whom each is payable.

**Sec. 3. 4 MRSA §164, sub-§12,** as amended by PL 1991, c. 91, is repealed and the following enacted in its place:

**12. Violations bureau.** Notwithstanding any other statute or law, establish the violations bureau.

**A. The violations bureau has jurisdiction over all traffic infractions committed in this State. Unless**

otherwise ordered by a court, trial of a traffic infraction must be in the division in which the alleged infraction was committed.

B. The Chief Judge by order, which may from time to time be amended, shall designate the amount of fines imposed for traffic infractions.

C. The Maine Rules of Civil Procedure applies in all traffic infraction proceedings.

D. The clerk of each division has the authority to accept pleadings and fines on behalf of the violations bureau;

**Sec. 4. 4 MRSA §§164-A and 164-B** are enacted to read:

**§164-A. Acceptance of fine and guilty plea**

The clerk of each division may accept a guilty plea to a criminal traffic offense upon payment of a fine and surcharge in accordance with a schedule of offenses and fines established by the Chief Judge. A person tendering payment of a fine without filing a signed waiver is deemed to have read and waived that person's rights, to understand that tendering payment is deemed a waiver and has the same effect as a judgment of the court and to understand that the record of the judgment will be sent to the Secretary of State.

**§164-B. Appointment of clerk**

On or after October 1, 1991 the Chief Judge may appoint a clerk of the violations bureau to facilitate the establishment of the violations bureau. This section is repealed on January 2, 1992.

**Sec. 5. 4 MRSA §173, sub-§2-A** is enacted to read:

**2-A. Costs in traffic infraction or civil violation cases.** The Chief Judge shall establish costs to be paid by a defendant to reopen a traffic infraction or civil violation case after the case has been disposed of by default resulting from the defendant's failure to file a timely written answer or the defendant's failure to appear for trial.

**Sec. 6. 14 MRSA §3143**, as amended by PL 1989, c. 875, Pt. E, §§19 and 20, is repealed.

**Sec. 7. 17-A MRSA §17, sub-§1**, as amended by PL 1991, c. 459, §5, is further amended to read:

1. A law enforcement officer who has probable cause to believe that a civil violation has been committed by a person must issue or have delivered a written summons to that person directing the person to appear in the District Court to answer the allegation that the

person has committed the violation. The summons must include the signature of the officer, a brief description of the alleged violation, the time and place of the alleged violation and the time, place and date the person is to appear in court. The form used must be the Violation Summons and Complaint, as prescribed in Title 29, section 2300, for traffic infractions and the Uniform Summons and Complaint for other civil violations, except that, if the agency by whom the officer is employed has on May 1, 1991 current stocks of forms that the agency is authorized to use, the agency may permit officers to use those forms in place of the Uniform Summons and Complaint until those stocks are depleted. A person to whom a summons is issued or delivered must give a written promise to appear. If the person refuses to sign the summons after having been ordered to do so by a law enforcement officer, the person commits a Class E crime. The law enforcement officer may not order a person to sign the summons for a civil violation unless the civil violation is an offense defined in Title 12; Title 23, section 1980; Title 28-A, section 2052; or Title 29. As soon as practicable after service of the summons, the officer shall cause a copy of the summons to be filed with the court.

**Sec. 8. 28-A MRSA §2052, sub-§3**, as amended by PL 1991, c. 337, §1, is further amended to read:

3. **Violation.** Any minor who violates this section commits a ~~traffic infraction~~ civil violation for which a forfeiture may be adjudged of not more than \$500. A forfeiture must be adjudged of not less than \$200 for a 2nd offense and not less than \$400 for a 3rd or subsequent offense, none of which may be suspended.

**Sec. 9. 29 MRSA §1, sub-§1**, as repealed and replaced by PL 1975, c. 731, §19, is amended to read:

1. **Adjudication.** "~~Adjudication~~" ~~shall mean~~ means a finding by a judge of the District Court that a person has committed a traffic infraction, and ~~shall include~~ includes the ~~entry of a plea, acceptance by the clerk of the violations bureau or any judicial division of an answer of no contest~~ by a person charged with the commission of a traffic infraction, ~~admitting the infraction charged.~~

**Sec. 10. 29 MRSA §1, sub-§17-C**, as amended by PL 1975, c. 731, §20, is further amended to read:

17-C. **Traffic infraction.** "~~Traffic infraction~~" ~~shall mean~~ means any violation of any provision of this Title, or of any rules or regulations established ~~thereunder~~ under this Title, not expressly defined as a felony or, misdemeanor or crime, and otherwise not punishable by incarceration or, unless specifically authorized, by a fine of more than \$500. A traffic infraction is not a crime, but is a civil violation and the penalty therefor ~~shall may~~ not be deemed for any purpose a penal or criminal punishment. There ~~shall be~~ is no right to trial by jury for a traffic infraction. The exclusive penalty for a traffic in-

fraction violation of any public or private law of this State, or of any rule adopted pursuant to any law of this State, is a fine and suspension of license, permit, the right to operate a motor vehicle in this State and the right to apply for or obtain a license or permit, or both. The exclusive penalty for a traffic infraction violation of any ordinance enacted by any political subdivision of this State is a fine.

The term "traffic infraction" as used in any public or private law of this State, or in any rule ~~or regulation~~ adopted pursuant to any law of this State, ~~shall have or in any ordinance enacted by any political subdivision of this State, has~~ this same meaning and effect.

**Sec. 11. 29 MRSA §58-A, sub-§2, ¶A**, as enacted by PL 1983, c. 773, §1, is amended to read:

A. A clerk or deputy clerk of any judicial division of the District Court or the violations bureau may certify a transcript of motor vehicle data from all ~~District Courts~~ divisions and the violations bureau;

**Sec. 12. 29 MRSA §2241-E**, as amended by PL 1987, c. 415, §28, is further amended to read:

#### **§2241-E. Suspension**

Except for a ~~court-ordered~~ suspension under section ~~2301 or~~ 2301-A or 2301-B, any suspension authorized under this Title ~~shall be~~ is effective on a specified date not less than 10 days after the mailing of the notification of suspension and the period of suspension ~~shall be~~ is computed from that date. Any ~~court-ordered~~ suspension under section ~~2301 or~~ 2301-A ~~shall be~~ or 2301-B is effective ~~when entered by the court on the date of the suspension order or on such later date as may be set forth in the suspension order.~~ Upon motion and good cause shown, the court ordering in which the suspension was ordered under section ~~2301 or~~ 2301-A or 2301-B may waive all or any part of the reinstatement fee.

**Sec. 13. 29 MRSA §2300**, as amended by PL 1991, c. 459, §6, is further amended to read:

#### **§2300. Uniform Summons and Complaint; Violation Complaint and Summons**

**1. Form of Uniform Summons and Complaint.** ~~Except as provided in subsection 1-A, every~~ Every law enforcement agency in this State shall use traffic summonses for criminal traffic offenses defined in Title 23, section 1980 or this Title in the form known as the Uniform Summons and Complaint, which must be uniform throughout the State and must be issued in books with summonses in no less than quadruplicate and meeting the requirements of this chapter. The Uniform Summons and Complaint must include, at a minimum, the signature of the officer, a brief description of the alleged offense, the time and place of the alleged offense and

the time, place and date the person is to appear in court. The Uniform Summons and Complaint must also include a statement that signing the summons does not constitute an admission or plea of guilty and that refusal to sign after having been ordered to do so by a law enforcement officer is a separate Class E crime. A person to whom a Uniform Summons and Complaint is issued or delivered must give a written promise to appear. The form of the Uniform Summons and Complaint must be approved by the Chief Judge of the District Court prior to its use.

~~**1-A. Exception for certain forms.** Law enforcement agencies may use current stocks of Uniform Traffic Ticket and Complaint forms until those stocks are depleted.~~

**1-B. Form of Violation Summons and Complaint.** Every law enforcement agency in this State shall use traffic summonses for traffic infractions in the form known as the Violation Summons and Complaint, which must be uniform throughout the State and must be issued in books with summonses in no less than quadruplicate and meeting the requirements of this chapter. The form must include, at a minimum, the signature of the officer, a brief description of the alleged offense, the time and place of the alleged offense and the date on or before which the person is to file a written answer with the violations bureau. The Violation Summons and Complaint must also include a statement that signing the summons does not constitute an admission or plea of guilty and that refusal to sign after having been ordered to do so by a law enforcement officer is a separate Class E crime. The form of the Violation Summons and Complaint must be approved by the Chief Judge of the District Court prior to its use.

#### **2. Responsibility for issuance and disposition.**

A. The District Court is responsible for printing all Uniform Traffic Tickets and Complaints issued to law enforcement agencies or others ~~copies of the Violation Summons and Complaint forms.~~ The Department of Public Safety is responsible for printing all copies of the Uniform Summons and Complaints issued ~~Complaint forms~~ issuing both types to law enforcement agencies ~~for~~ or others.

B. The chief executive officer of every such law enforcement agency or that chief executive officer's ~~designate~~ designee is responsible for the further issuance of books ~~summons and complaint forms~~ to individual law enforcement officers and for the proper disposition of those ~~books~~ forms.

**3. Illegal disposition.** It is unlawful and official misconduct for any law enforcement officer or other officer or public employee to dispose of a ~~Uniform Traffic Ticket~~ Violation Summons and Complaint or a Uniform Summons and Complaint or any portion of either or of

the record of the issuance of a ~~Uniform Traffic Ticket Violation Summons~~ and Complaint or a Uniform Summons and Complaint in a manner other than as required under rules adopted pursuant to this section. Any person who solicits or aids in the disposition, or attempted disposition, of a ~~Uniform Traffic Ticket Violation Summons~~ and Complaint or a Uniform Summons and Complaint or any portion of either in any unauthorized manner commits a Class E crime.

**3-A. Uniform Summons and Complaint as summons.** A Uniform Summons and Complaint ~~or a Uniform Traffic Ticket and Complaint, as authorized under subsection 1-A,~~ when issued or delivered to a person by a law enforcement officer or served on the person in the manner prescribed by rule of the Supreme Judicial Court, acts as a summons to appear in court on the date and time specified in the summons ~~or ticket~~ or to otherwise respond in accordance with law on or before the date and time specified in the summons ~~or ticket~~. Any person who fails to appear in court as directed by the summons ~~or ticket~~ or to otherwise respond in accordance with law on or before the date and time specified in the summons ~~or ticket~~ commits a Class E crime. Upon the person's failure to appear or respond, the court may issue a warrant of arrest. It is an affirmative defense to prosecution under this subsection that the failure to appear or respond resulted from just cause.

**3-B. Violation Summons and Complaint as summons.** The Violation Summons and Complaint, when issued or delivered to a person by a law enforcement officer or served on the person in the manner prescribed by rule of the Supreme Judicial Court, acts as an order to file written answer to the complaint on or before the date specified in the summons.

**4. When a lawful complaint.** If the ~~traffic summons or ticket provided under this section~~ Uniform Summons and Complaint is duly sworn to as required by law and otherwise legally sufficient in respect to the form of a complaint and to charging commission of the offense alleged in the summons or ticket to have been committed, then the summons ~~or ticket~~ when filed with a court having jurisdiction constitutes a lawful complaint for the purpose of the commencement of any ~~traffic infraction proceeding or the prosecution of a misdemeanor, or Class D or Class E crime under Title 23, section 1980 or this Title.~~ When filed with the violations bureau, the Violation Summons and Complaint is considered a lawful complaint for the purpose of the commencement of a traffic infraction proceeding.

**4-A. Responsibility of law enforcement officer to file summonses and complaints with District Court.** Every law enforcement officer issuing a Violation Summons and Complaint charging the commission of a traffic infraction shall file the original of the summons and complaint with the violations bureau within 5 days of the issuance of the Violation Summons and Complaint.

Every law enforcement officer issuing a ~~Uniform Traffic Ticket and Complaint or Uniform~~ Summons and Complaint that charges the commission of an offense shall file the original of the ~~Uniform Traffic Ticket and Complaint or Uniform~~ Summons and Complaint with the District Court having jurisdiction over the offense or in such other location as instructed by the Chief Judge of the District Court without undue delay and, in any event, within 5 days after the issuance of the ~~Uniform Traffic Ticket and Complaint or Uniform~~ Summons and Complaint.

**5. Refusal to sign.** Any person who refuses to sign a Uniform Summons and Complaint or a ~~Uniform Traffic Ticket Violation Summons and Complaint,~~ as provided under subsection 1-A, after having been ordered to do so by a law enforcement officer commits a Class E crime. A law enforcement officer may not order a person to sign the ~~summons~~ Uniform Summons and Complaint for a civil violation unless the civil violation is an offense defined in Title 12; Title 28-A, section 2052; or this Title 29.

**Sec. 14. 29 MRSA §2301-A,** as amended by PL 1991, c. 459, §7, is further amended to read:

**§2301-A. Suspension on nonappearance or nonpayment of fine**

If a person fails to appear in court on the ~~day~~ date and time specified in response to a Uniform Summons and Complaint, ~~a Uniform Traffic Ticket and Complaint as provided under section 2300, subsection 1-A,~~ a summons, a condition of bail or order of court for any criminal violation of Title 23, section 1980; a civil violation under Title 28-A, section 2052; or any criminal provision of this Title, or for any further appearance ordered by the court, including one for the payment of a fine, either in person or by counsel, or fails to pay a fine imposed for a criminal traffic offense, the ~~court~~ clerk shall suspend the person's license or permit, the right to operate a motor vehicles vehicle in this State and the right to apply for or obtain a license or permit.

If a person who is not an individual fails to appear or pay a fine in a criminal traffic offense, the ~~court may~~ clerk shall suspend the registration of the motor vehicle involved in the offense or that person's right to operate that vehicle in the State.

On receipt of a copy of a ~~court an~~ order suspending a person's license or right to operate in this State of any such suspension in a criminal traffic offense, the Secretary of State shall immediately notify that person of the suspension by regular mail or personal service. A court ordered ~~The suspension shall have~~ has the same force and effect as a suspension by the Secretary of State. A ~~The suspension shall remain~~ remains in effect until the person appears, either in person or by counsel, or pays the fine. On appearances or payment of the fine,

whichever was the basis for the suspension, and on the condition of payment of a \$25 reinstatement fee to the Secretary of State, the clerk of the court in which the suspension was ordered shall rescind the suspension and order notify the Secretary of State to who, upon receipt of the \$25 reinstatement fee, shall delete any record of the suspension from that person's driving record.

**Sec. 15. 29 MRSA §2301-B** is enacted to read:

**§2301-B. Suspension for failure to appear, answer or pay a fine in a traffic infraction offense**

If a person fails to answer in any traffic infraction proceeding under Title 23, section 1980 or any traffic infraction provision of this Title by the date specified in the Violation Summons and Complaint, fails to appear for trial or pay a fine assessed in any traffic infraction proceeding, the clerk shall suspend the person's license or permit, right to operate a motor vehicle in this State and the right to apply for or obtain a license or permit.

If a person who is not an individual fails to appear, answer or pay a fine in a traffic infraction proceeding, the clerk shall suspend the registration of the motor vehicle involved in the offense or that person's right to operate that vehicle in the State.

The clerk shall immediately notify that person of the suspension by regular mail or personal service. The suspension has the same force and effect as a suspension by the Secretary of State. The suspension remains in effect until the person answers or appears, either in person or by counsel, or pays the fine. On answer, appearance or payment of the fine, whichever was the basis for the suspension, and on condition of payment of a \$25 reinstatement fee to the Secretary of State, the clerk of the court in which the suspension was ordered shall rescind the suspension and notify the Secretary of State who, upon receipt of the \$25 reinstatement fee, shall delete any record of the suspension from that person's driving record.

**Sec. 16. 30-A MRSA §3009, sub-§1, ¶¶A to C,** as amended by PL 1989, c. 104, Pt. C, §§8 and 10, are further amended to read:

A. The municipal officers may regulate pedestrian traffic in the public ways, including, but not limited to, setting off portions of a municipality's public ways for sidewalks and regulating their use; providing for the removal of snow and ice from the sidewalks by the owner, occupant or agent having charge of the abutting property; and establishing crosswalks or safety zones for pedestrians.

(1) The violation of any ordinance authorized by this paragraph is a ~~traffic infraction~~ civil violation.

(2) The municipal officers may establish a method by which persons charged with the vio-

lation of ordinances governing pedestrian traffic on the public ways may waive all court action by payment of specified fees within stated periods of time.

B. The municipal officers may regulate the operation of all vehicles in the public ways and on publicly owned property.

(1) The violation of any ordinance authorized by this paragraph is a ~~traffic infraction~~ civil violation.

C. The municipal officers may regulate the parking of motor vehicles on any public way or public parking area, including, but not limited to, providing for the installation of parking meters, providing the fact that any vehicle is illegally parked or is in a metered space when the time signal on the parking meter for that space indicates no parking permitted without the deposit of a coin or coins is prima facie evidence that the vehicle has been parked illegally by the person in whose name the vehicle is registered, and establishing reasonable charges for metered parking.

(1) Illegal parking of a vehicle in violation of any ordinance authorized by this paragraph is a ~~traffic infraction~~ civil violation.

(2) The municipal officers may establish a method by which persons charged with the violation of parking regulations may waive all court action by payment of specified fees within stated periods of time.

(3) The revenue collected from parking meters shall must be used:

(a) To purchase, maintain and police the meters;

(b) To construct and maintain public ways;

(c) To acquire, construct, maintain and operate public parking areas; and

(d) For no other purpose.

(4) Any motor vehicle or motorcycle registered by a handicapped person is exempt from any parking meter fare when that vehicle properly displays special designating plates or a placard issued under Title 29, sections 252, 252-A and 252-C, and may park a length of time ~~which that~~ does not exceed twice the time limit otherwise applicable.

**Sec. 17. Effective date.** This Act takes effect January 1, 1992, except that the section of this Act that



enacts the Maine Revised Statutes, Title 4, sections 164-A and 164-B takes effect when this Act is approved.

**Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect when approved, unless otherwise indicated.

Effective July 10, 1991, unless otherwise indicated.

## CHAPTER 550

H.P. 959 - L.D. 1386

### An Act to Authorize Involvement of the Department of Human Services in Providing School-based Child Care

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

20-A MRSA §6654, as enacted by PL 1989, c. 551, §1, is amended to read:

#### §6654. School-based child care grants

The department is and the Department of Human Services are authorized to make grants provide assistance to school administrative units to assist the units in establishing school-based child care services. Each grant shall Any assistance provided must provide funds for 2 years and expenditure of grant money shall be those funds is considered expenditure of local funds in computing the unit's educational program costs in chapter 606. The department ~~shall have~~ has full authority to administer the any grant program that it operates under this section.

See title page for effective date.

## CHAPTER 551

H.P. 752 - L.D. 1086

### An Act Regarding the Statute of Limitations in Cases of Child Abuse and Incest

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

Sec. 1. 14 MRSA §752-C, as amended by PL 1989, c. 292, is further amended to read:

#### §752-C. Sexual acts towards minors

Actions based upon sexual intercourse or a sexual act, as defined in Title 17-A, chapter 11, with a person under the age of majority ~~shall~~ must be commenced within 6 12 years after the cause of action accrues, or within 3

6 years of the time the person discovers or reasonably should have discovered the harm, whichever occurs later.

**Sec. 2. Application.** This Act applies to the following actions based upon sexual intercourse or a sexual act with a person under the age of majority:

1. All actions based upon sexual intercourse or a sexual act occurring after the effective date of this Act; and

2. All actions for which the claim has not yet been barred by the previous statute of limitations in force on the effective date of this Act.

See title page for effective date.

## CHAPTER 552

H.P. 1276 - L.D. 1847

### An Act to Establish the Maine Revised Uniform Limited Partnership Act

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

Sec. 1. 31 MRSA c. 7, as amended, is repealed.

Sec. 2. 31 MRSA c. 11 is enacted to read:

#### CHAPTER 11

#### MAINE REVISED UNIFORM LIMITED PARTNERSHIP ACT

#### SUBCHAPTER I

#### GENERAL PROVISIONS

#### §401. Short title

This chapter may be known and cited as the "Maine Revised Uniform Limited Partnership Act."

#### §402. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Certificate of limited partnership. "Certificate of limited partnership" means the certificate referred to in section 421, and the certificate as amended.

2. Contribution. "Contribution" means any cash, tangible or intangible property, services rendered or a promissory note or other obligation to contribute cash or property or to perform services that a partner contributes to a limited partnership in the capacity as a partner.