

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 5, 2012 to July 10, 2013**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**OCTOBER 9, 2013**

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

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**Augusta, Maine**  
**2013**

**CHAPTER 58**  
**S.P. 193 - L.D. 503**

**An Act To Amend the Limited  
Liability Company Laws**

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

**Whereas**, the Maine Revised Statutes, Title 31, chapter 21, which governs domestic and foreign limited liability companies in Maine, became effective July 1, 2011, and erroneous language was adopted affecting the requirements for filing an assumed name and a registration of a name for foreign limited liability companies; 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. 31 MRSA §1508, sub-§1**, as enacted by PL 2009, c. 629, Pt. A, §2 and affected by §3, is amended to read:

**1. Requirements.** A limited liability company name must contain the words "limited liability company" or "limited company" or the abbreviation "L.L.C.," "LLC," "L.C." or "LC" or, in the case of a low-profit limited liability company, "L3C" or "~~13e.~~" "13c" unless the limited liability company is filing an assumed name under section 1510 or a registration of a name of a foreign limited liability company under section 1511. The word "limited" may be abbreviated as "Ltd.," and "company" may be abbreviated as "Co." ~~unless the limited liability company is filing an assumed name under section 1510 or a registration of a name of a foreign limited liability company under section 1511.~~ If the words "Limited Liability Company," "Limited Liability Company, Chartered," "Limited Liability Company, Professional Association," "Limited Liability Company, P.A." or any of the designations without commas are used, a limited liability company may also use the abbreviation "L.L.C." or the designation "LLC" without filing an assumed name under section 1510. In the case of a low-profit limited liability company, if the words "Low-profit Limited Liability Company" are used, a limited liability company may also use the abbreviation "L3C" or the designation "13c" without filing an assumed name under section 1510.

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

Effective May 3, 2013.

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**CHAPTER 59**  
**H.P. 304 - L.D. 454**

**An Act Relating to Health Care  
Provider Liability Claims  
Reports**

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

**Sec. 1. 24 MRSA §2605**, as enacted by PL 1977, c. 492, §3, is amended to read:

**§2605. Report to board or licensing authority**

The superintendent shall, within 30 days of their receipt, submit to the appropriate board or other state licensing authority a copy or summary of reports received pursuant to section 2601 or section 2602.

**Sec. 2. 24 MRSA §2608**, as enacted by PL 1989, c. 462, §3, is amended to read:

**§2608. Cancellation or nonrenewal**

Any insurer required to report claims information under this subchapter shall also notify the Superintendent of Insurance of the cancellation or nonrenewal of any insured occasioned by either the number of claims against that insured or by the insured's failure to conform to appropriate standards of the medical profession. The information ~~shall be~~ is entitled to the confidentiality protection of section 2604. A copy of the report ~~shall~~ must be filed by the superintendent, within 30 days of its receipt, with the applicable licensing board or authority.

See title page for effective date.

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**CHAPTER 60**  
**H.P. 166 - L.D. 205**

**An Act To Exempt Free Clinics  
from Licensing under the  
Charitable Solicitations Act**

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

**Sec. 1. 9 MRSA §5003, sub-§4-C** is enacted to read:

**4-C. Free clinic.** "Free clinic" means an incorporated nonprofit health facility that provides health care to persons at no charge.

**Sec. 2. 9 MRSA §5006, sub-§1, ¶E**, as amended by PL 1989, c. 700, Pt. A, §35, is further amended to read:

E. Educational institutions, the curriculums of which in whole or in part are registered or approved by the Department of Education, either directly or by acceptance of accreditation by an accrediting body recognized by the Department of Education, and organizations operated by the student bodies of such institutions; ~~and~~

**Sec. 3. 9 MRSA §5006, sub-§1, ¶F**, as amended by PL 1999, c. 386, Pt. A, §15, is further amended to read:

F. Hospitals that are nonprofit and charitable; and

**Sec. 4. 9 MRSA §5006, sub-§1, ¶G** is enacted to read:

G. Free clinics.

See title page for effective date.

**CHAPTER 61  
H.P. 15 - L.D. 11**

**An Act To Allow Vehicles Engaged in Snow Removal or Sanding Operations on Public Ways To Use Preemptive Traffic Light Devices**

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

**Whereas**, amending the law to allow vehicles engaged in snow removal or sanding operations on public ways to use preemptive traffic light devices will promote safety on Maine roadways; and

**Whereas**, it is necessary to improve safety by implementing this legislation as soon as possible for the 2012-2013 winter season; 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. 29-A MRSA §2057-A**, as enacted by PL 2003, c. 633, §6, is amended to read:

**§2057-A. Preemptive traffic light devices prohibited**

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Lighted traffic control device" means a traffic control device conforming to the requirements of section 2057, subsection 1.

B. "Preemptive traffic light device" means a device, including a signal prioritization device or a signal preemption device, capable of altering or interrupting the normal cycle of a lighted traffic control device or equipment associated with the functionality of a lighted traffic control device.

C. "Signal preemption device" means a device that, when activated and when a vehicle equipped with such a device approaches an intersection controlled by a lighted traffic control device, causes:

(1) The signal, in the direction of travel of the vehicle, to remain green if the signal is already displaying a green light or to change from red to green if the signal is displaying a red light;

(2) The signal, in other directions of travel, to remain red or change to red, as applicable, to prevent other vehicles from entering the intersection; and

(3) The applicable functions described in subparagraphs (1) and (2) to continue until the vehicle equipped with the device is clear of the intersection.

D. "Signal prioritization device" means a device that, when activated and when a vehicle equipped with such a device approaches an intersection controlled by a lighted traffic control device, causes:

(1) The signal, in the direction of travel of the vehicle, to display a green light sooner than the green light would otherwise be displayed;

(2) The signal, in the direction of travel of the vehicle, to display a green light longer than the green light would otherwise be displayed; and

(3) The applicable functions described in subparagraphs (1) and (2) to continue until the vehicle equipped with the device is clear of the intersection.

**2. Violation.** A person commits a Class E crime if that person possesses a preemptive traffic light device or operates or allows the operation of a motor vehicle, vehicle, motorized wheelchair, electric per-