

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-SIX

—
S.P. 811 - L.D. 1998

An Act to Authorize Registration of Certain Cash-dispensing Machines Through the Nationwide Mortgage Licensing System and Registry and to Limit the Use of Certain Cash-dispensing Machines as Virtual Currency Kiosks

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

Sec. 1. 32 MRSA §6152, sub-§2, as enacted by PL 1999, c. 229, §2, is amended to read:

2. Limitations. A cash-dispensing machine:

A. May not accept deposits or loan payments or effectuate account transfers other than those transfers between the customer's accounts in the same financial institution; ~~and~~

B. Must be operated in such a way as to comply with the Electronic Funds Transfer Act, 15 United States Code, Section 1693 et seq. or regulations adopted under that Act; ~~and~~

C. May not operate as a virtual currency kiosk as defined in section 6164, subsection 3 unless the virtual currency kiosk operator is licensed as a money transmitter pursuant to section 6165.

Sec. 2. 32 MRSA §6153, sub-§1, ¶B, as enacted by PL 1999, c. 229, §2, is amended to read:

B. A registration fee of \$50 for the ~~first cash-dispensing machine location operator~~ and \$25 for each ~~additional location, payable to the Treasurer of State~~ cash-dispensing machine.

Sec. 3. 32 MRSA §6153, sub-§1-A is enacted to read:

1-A. Nationwide mortgage licensing system and registry. The administrator may require registration under this section through the nationwide mortgage licensing system and registry as defined in Title 9-A, section 13-102, subsection 8. The administrator is authorized to participate in the nationwide mortgage licensing system and registry.

Sec. 4. 32 MRSA §6153, sub-§1-B is enacted to read:

1-B. Registration requirements. In all cases, whether registration is through the nationwide mortgage licensing system and registry or otherwise, the administrator may establish, by rule, requirements for registration, including but not limited to:

A. Background checks for:

- (1) Criminal history through fingerprint or other databases;
- (2) Civil or administrative records;
- (3) Credit history; or
- (4) Any other information determined necessary by the nationwide mortgage licensing system and registry;

B. The payment of fees to apply for or renew registration. If registration is through the nationwide mortgage licensing system and registry, an applicant must also pay a nationwide mortgage licensing system and registry processing fee in an amount to be determined by the administrators of the nationwide mortgage licensing system and registry. Renewal applications received after the due date are subject to an additional fee of \$100;

C. The setting or resetting as necessary of renewal or reporting dates; and

D. Other requirements for application for, amendment of or revocation of a registration or any other such activities as the administrator considers necessary.

The aggregate of registration fees and other fees and assessments provided for by this section is appropriated for the use of the administrator. Any balance of these funds does not lapse but must be carried forward to be expended for the same purpose in the following fiscal year.

Sec. 5. 32 MRSA §6153, sub-§6, as enacted by PL 1999, c. 229, §2, is amended to read:

6. Fine. The administrator may impose a fine of \$5 \$25 per day on any person failing to comply with the requirements of this section.

Sec. 6. 32 MRSA §6154, sub-§1, ¶A-1 is enacted to read:

A-1. If registration is through the nationwide mortgage licensing system and registry, the operator's unique identifier as defined in Title 9-A, section 13-102, subsection 15;