

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1984 to June 20, 1985

Chapters 1-384

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

J.S. McCarthy Co., Inc.
Augusta, Maine
1986

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
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1985

ployer who violates this section shall be liable to a penalty of not more than commits a civil violation for which a forfeiture not to exceed \$50 for each and every violation may be adjudged. It shall be is the duty of the director to enforce this section.

Effective September 19, 1985.

CHAPTER 113

H.P. 815 - L.D. 1141

AN ACT Relating to Deferred Payments and Terms and Schedules for Repayment of Loans Under the Maine Consumer Credit Code.

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

Sec. 1. 9-A MRSA §2-308, sub-§1, as amended by PL 1975, c. 173, §1, is further amended to read:

1. Supervised Except as provided in section 3-308, supervised loans, not made pursuant to open-end credit and in which the amount financed is \$1,000 or less and the principal of which is payable in more than a single payment, shall be scheduled to be payable in substantially equal installments at equal periodic intervals except to the extent that the schedule of payments is adjusted to the seasonal or irregular income of the debtor; and

A. Over a period of not more than 37 months if the amount financed is more than \$300; or

B. Over a period of not more than 25 months if the amount financed is \$300 or less.

Sec. 2. 9-A MRSA §3-308, as amended by PL 1981, c. 243, §§19 and 26, is repealed and the following enacted in its place:

§3-308. Schedule of payments; balloon payments

With respect to a consumer credit transaction having a schedule of payments requiring more than one payment of principal other than one pursuant to open-end credit:

1. Except as provided in this section, no creditor may contract for or receive payments of principal and interest pursuant to a schedule of payments under which any one payment is not substantially equal to all other payments, excluding any down payment receivable by the creditor or under which the intervals between any consecutive payments differ substantially;

2. When a consumer's livelihood is dependent upon seasonal or intermittent income, the parties may agree in a separate writing that one or more payments or the intervals between one or more payments may be reduced or expanded in accordance with the needs of the consumer if the payments or intervals are expressly related to the consumer's expected income;

3. A schedule of payments may provide for the deferral of the first periodic payment subsequent to any down payment for a period of not more than 90 days;

4. A schedule of payments may require a final payment not substantially equal to all other periodic payments if the contract evidencing the consumer credit transaction gives the consumer the right to refinance the amount of the final payment on terms at least as favorable, including, but not limited to, the rate of finance charge and periodic payment amount, as those specified in the original consumer credit transaction, in order to fully amortize the obligation; and

5. With respect to any transaction in violation of this section, the consumer shall have the right, at any time, without further cost or obligation, to revise the schedule of payments to conform both the payments and intervals to the average of all payments and intervals.

Effective September 19, 1985.

CHAPTER 114

H.P. 777 - L.D. 1098

AN ACT Related to the Observance of
Memorial Day.