

MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 1635

S. P. 560

In Senate, January 6, 1970

Committee on State Government suggested.

HARRY N. STARBRANCH, Secretary

Presented by Senator Logan of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
AND SEVENTY

AN ACT to Create a Commission to Prepare a Consumer Credit Code.

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

Sec. 1. Commission; duties. A special commission shall be constituted and appointed to supervise the preparation, in final legislative draft form, of a proposed Consumer Credit Code for the State of Maine, such proposed Code to be presented to the regular session of the 105th Maine Legislature. Such proposed Consumer Credit Code may, without limitation, incorporate such necessary repealers, amendments and modifications of existing laws as, in the judgment of such commission, are necessary and appropriate to accomplish such purposes. Such proposed Consumer Credit Code may include such new or modified provisions as, in the judgment of the commission, will best serve the interests of the people of the State. Such commission shall employ consultants to perform the necessary research and drafting of such Code. Such commission shall hold such public hearings as may be deemed necessary to acquaint persons interested with its proposals and recommendations.

Sec. 2. Membership. The membership of the commission shall be constituted and appointed as follows: Two members shall be members of the Senate in the 104th Maine Legislature, to be appointed by the President of the Senate; 3 members shall be members of the House of Representatives in the 104th Maine Legislature, to be appointed by the Speaker of the House and 4 additional members to be appointed by the Governor, with the advice and consent of the Executive Council.

The Bank Commissioner shall serve on the commission in an advisory capacity only. Each member shall serve until the commission shall have com-

pleted its work, or until his prior death or resignation. In the event of the death or resignation of any member, his place shall be filled, upon written notice thereof from the commission, by the then President of the Senate, Speaker of the House or Governor, as the case may be, in the same manner as with respect to the original appointment.

Sec. 3. Meetings. The said commission shall be appointed promptly upon enactment hereof, and the Governor shall notify all members of the time and place of the first meeting. At that time the commission shall organize, elect a chairman, vice-chairman and secretary-treasurer, adopt rules as to the administration of the commission and its affairs which rules shall require a minimum of 30 days' notice of any public hearing to consider one or more aspects of the laws or prospective laws to be considered by the commission and which rules shall require that all proposals shall be transmitted to each person who shall have recorded his desire to receive and willingness to pay for the costs of printing and mailing same, and thereafter shall meet as often as necessary until its work is completed. In all matters as to which there is disagreement, a majority vote shall prevail, and a quorum shall consist of at least 5 members. The commission shall maintain minutes of its meetings and such financial records as may be required by the State Auditor.

Sec. 4. Chief counsel. The commission shall contract for the services of consultants, who need not be residents of this State, who shall have the responsibility for legal research and drafting required in connection with the preparation of the proposed Consumer Credit Code, under the direction and supervision of the commission. No person shall be employed as a consultant who shall not, by virtue of prior training, experience, ability and reputation, have clearly demonstrated the ability to perform the tasks to be assigned to him by the commission.

Sec. 5. Reimbursement of expenses. The members of the commission shall serve without compensation, but may be reimbursed for their reasonable expenses in attending meetings, procuring supplies, correspondence and other related and necessary expenditures.

Sec. 6. Appropriation. There is appropriated from the Unappropriated Surplus of the General Fund the sum of \$15,000 for the fiscal year ending June 30, 1970, to carry out the purposes of this Act. Any unexpended balances shall not lapse but shall remain a continuing carrying account until June 30, 1971.