

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE OF MAINE
SENATE
109TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " A " to S.P. 243, L.D. 692, Bill, "AN
ACT to Amend the Maine Consumer Credit Code."

Amend the Bill by striking out everything after the enacting
clause and inserting in its place the following:

'9-A MRSA §5-110, sub-§4, is enacted to read:

4. If the goods that are collateral in a consumer credit
transaction include a right of setoff, the notice shall conform
to the requirements of subsection 2 and a notice in substantially
the form specified in that subsection complies with this
subsection, except for the following:

A. The 3rd sentence in the next to the last paragraph of
the form of notice specified in subsection 2 shall read:
If you do not pay by that date, we may exercise our rights
under the law, including the right to set off funds in
your checking or savings accounts with us against the balance
on this delinquent account; and

B. The first sentence in the last paragraph of the form
of notice shall read: If you are late again in making your
payments, we may exercise our rights, including the right
of setoff, without sending you another notice like this one.'

Statement of Fact

This amendment requires only that if a creditor has a right
of setoff he shall specifically refer to that right in the notice

of the consumer's right to cure so that the consumer is then made aware of this special and serious consequence of his continued default.

Reported by the Committee on Business Legislation.

Reproduced and distributed pursuant to Senate Rule 11-A.

May 22, 1979

(Filing No. S-225)